KRISHNA CHANDRA COLLEGE
HETAMPUR, BIRBHUM.
FOUNDED BY MAHARANI PADMA SUNDARI DEVI IN 1897.

MUGHAL ADMINISTRATION

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KRISHNA CHANDRA COLLEGE
HETAMPUR, BIRBHUM.
FOUNDED BY MAHARANI PADMA SUNDARI DEVI IN 1897.

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PREFACE

This volume has grown out of two courses of six lectures each delivered by me as Reader in Indian History at the Patna University in January 1920 and February 1921. The first edition of the book (published in 1921) contained only the first year's lectures. The second edition (1924) was more than double the size of the first, as it contained in addition to both courses of lectures, two altogether new chapters. In the preparation of the second edition a more exhaustive study of the *Ain-i-Akbari* and the *Mirat-i-Ahmadi* was made and very important information derived from a correct manuscript of the *Mirat-i-Ahmadi* with useful marginal glosses which was traced in the O.P.L., Patna. The sections on illegal exactions, news-reporters, the judiciary etc. were, in the second edition, so fully re-written as to have become practically new. Moreover, the chapter on Aurangzib's Revenue Rules (originally published as a part of my *Studies in Mughal India*) was now added to this volume, and it will be omitted from future editions of the *Studies* as more appropriate here than there.

The book has been minutely revised for the third edition and all the doubtful points satisfactorily cleared by a fresh study of the Persian sources. The additions amount to nearly five pages. Full use has also been made of the *Encyclopædia of Islam*, now within sight of completion, by giving references to it wherever possible, in order to show how my views find support in this standard work and also to guide the reader to all the greatest authorities on Muslim Law and institutions cited therein. This is the shortest and most effective method of answering a Calcutta pleader who has attacked my statements, because my readers will hardly consider his ignorance of the primary sources on Islam and of Mughal state papers as compensated for by the brass of *avocasserie*.

As the basis of my study I have utilised the immense mass of Court bulletins (*akhbarat*) of the Mughal empire and other old official papers in Persian secured from the Jaipur State archives and the R.A.S. (Tod mss.),—which show us the *actual* working of the Mughal administration (as distinct from its theory), though lack of space has prevented me from quoting them. They play the same important part with reference to Mughal administration that the papyri do in the study of early Arab rule in Egypt.

It is hoped that in its present form this book will supply a complete treatise on the administrative system of the Mughal empire,—its theory and practice, its root principles and aims, and their effect in actual operation. Every branch of State activity (except the army) has been treated here from contemporary records. The minutiæ of the revenue system have been omitted.

December 1935. JADUNATH SARKAR.

CONTENTS

CHAPTER I.—THE GOVERNMENT: ITS CHARACTER AND AIMS ... **1—15**

Previous studies of Mughal administration, 1—Mughal administrative system influenced Hindu and British Governments, 3—aims of Mughal State, 4—foreign elements in Mughal administration, 6—military nature of the government, 8—State factories, 10—excess of records, 12—law and justice, 13—no socialistic activity, 14—people left alone, 15.

CHAPTER II.—THE SOVEREIGN AND THE DEPARTMENTAL HEADS ... **16—31**

Muslim sovereign's powers, 16—no ministerial control, 17—daily life of a Mughal Emperor, 19—chief departments, 22—*wazir*, 22—*bakhshi*, 25—High steward, 26—judiciary, 27—censor of morals, 30.

CHAPTER III.—THE TREASURY AND HOUSEHOLD DEPARTMENTS ... **32—54**

Diwan, 32—his position and powers, 32—records that must reach him, 34—some famous diwans' office procedure, 38—Diwan of Khalsa's duties, 41—duties of Diwan of Tankha, 46—*Khan-i-saman's* duties, 48—*Buyutat's* duties, 52.

CHAPTER IV.—PROVINCIAL ADMINISTRATION ... ... **55—75**

Mughal officials dislike and neglect villages, 55—how Government kept touch with villages, 56—*subahdar* and his duties, 57—his plan of action, 58—provincial diwan's duties, 62—faujdar's functions, 63—kotwal's duties, 66—news-reporters, 71.

CHAPTER V.—TAXATION ... ... **76—105**

Indian peasants reluctant to pay revenue, 76—reasons, 76—the ryot how treated, 78—*abwabs* or exactions condemned by Emperors, but levied by lower officials, 80—anecdote of Shah Jahan, 81—doings of an extortionate diwan, 83—Sadullah's censure of revenue collectors, 84—why revenue officials levied perquisites, 84—*krori's* duties, 86—*amin*,

87—*qanungo*, 89—*abwabs* classified, 90—*abwabs* described in detail 93.

CHAPTER VI.—LAW AND JUSTICE ... ... 106—132

Emperor as supreme judge, 106—how Mughal Emperors tried cases, 108—work and powers of qazis, 110—character and sources of Muslim law, 114—classification of crimes in Islam, 116—punishments allowed by Muslim law, 118—private vengeance, &c., 120—death penalty, 123—Penal Code of Aurangzib, 125.

CHAPTER VII.—PREROGATIVES OF THE EMPEROR ... ... 133—147

Attitude of Jahangir and Aurangzib, 133—twelve things specially reserved for Emperors, 134—*darshan* described, 134—*taslim*, 137—elephant combats described, 143—four more prerogatives, 145.

CHAPTER VIII.—THE SOVEREIGN AS THE HEAD OF RELIGION ... 148—163

Religious function of Muslim sovereign, 148—popular longing for a superman spiritual guide, *insan-i-kamil* or *mahdi*, 149—Akbar claims to be a divine agent, 151—prostration before Emperor, 154—religious titles of Emperors, 156—*Jagat-guru*, 156—Shias persecuted under Aurangzib, 158—education as a branch of religion, 161.

CHAPTER IX.—POSITION OF THE ARISTOCRACY ... ... 164—180

Escheat of every dead noble's property, 164—reasons for it, 166—Emperor's ordinances about escheat, 170—principle underlying escheat rule, 172—bad effect of the system of escheat, 175—*Bait-ul-mal*, 177—hostages, 180.

CHAPTER X.—STATE INDUSTRIES ... ... 181—197

Mughal Government its own manufacturer, 181—treasuries (as distinct from stores and factories) named, 183—work in State factories described, 186—chief seats of State industries, 188—condition of artisans, 190—*karkhanahs*, classified list, 191.

CHAPTER XI.—REVENUE RULES OF AURANGZIB ... ... 198—224

Farman to Md. Hashim, 198—Islamic principles of land-taxation, 200—rules for unalterable assessment, 205—crop-sharing, 211—Harun-al-Rashid's principles of land-taxation, 213—*farman* to Rasik-das, 214.

CHAPTER XII.—OFFICIAL LETTERS ... ... 225—237

Persian letter-books extant, 225—how letter-books were published, 226—Hindu *munshis*, 227—style and seals of *farmans*, 229—seals and entitlature, 229—classes of official letters, 233—office-procedure about *farmans*, 234—contents of a typical letter-book, 237.

CHAPTER XIII.—MUGHAL RULE: ITS ACHIEVEMENTS AND FAILURE ... ... 238—256

Mughal rule gave India administrative union and homogeneity, 238—but not nationality, 239—Muslim gifts: history, 239—contact with the outer world, 241—monotheistic Hindu sects, 242—Sufi brotherhood, 243—social manners of N. India Islamised, 243—architecture and art, 244—strength of the Muslim position in India, 245—Muhammadan settlers Indianised, 246—disruptive forces in State, 248—people make no progress, 250—decline of the aristocracy, 251—causes of deterioration of Indian Muhammadans, 252—weakness of all oriental monarchies, 253—the lessons of Indian history, 255.

CHAPTER XIV.—SOURCES OF INFORMATION ... ... 257—264

Ain-i-Akbari, criticised, 257—*Dastur-ul-aml* described, 258—its contents, 259—*Mirat-i-Ahmadi*, its value, 261—*Manual of Officers' Duties*, described and analysed, 262—other sources, 263.

Abbreviations

Abu Yusuf—*Kitāb-ul-kharāj*, Fr. tr. by E. Fagnan, (Paris, 1921.)

Ain—*Ain-i-Akbari*, Eng. tr. by Blochmann and Jarrett, 3 vols.

Bernier—*Travels in the Mogol Empire*, Eng. tr., Constable's ed. (1891) cited.

Brit. Ind.—*British India Analyzed*, ascribed to C. Greville of the India Office, (1795.)

D—*Dastur-ul-aml*, 10L. ms. Pers. 370.

Manual—*Manual of Officers' Duties*, a Persian ms. (see pp. 262-263.)

M or *Mirat*—*Mirāt-i-Āhmadi*, printed in two volumes with a Supplement in the Sayaji Rao Gaikwad series, Baroda.

Wilson—*Glossary of Revenue Terms* (1855.)

Z—*Zawābit-i Alamgiri*, Br. Mus. Or. 1641.

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MUGHAL ADMINISTRATION

CHAPTER I.

The Government : Its Character and Aims

§ 1. The aspects of Mughal administration studied in this book.

We are all familiar with the history of the Mughal Empire in India,—the long story of the successive Emperors, their wars for the throne of Delhi, their campaigns against their rebellious vassals and independent neighbours, and their expeditions beyond the natural frontiers of India. We know much about the private lives of the Emperors, the ceremony and splendour of their Courts, and the condition of the roads, from the writings of the many European visitors to our land. But their administrative system has not yet been subjected to a detailed study on the basis of the original Persian records.

This is a task of admitted difficulty, partly because so many of the records have perished in the course of time, but mainly because it is only men experienced in the actual conduct of modern Indian administration who can go to the very heart of the Mughal system and make the dead past live again before our eyes. The great historian of the Decline and Fall of the Roman Empire has confessed that his experience as a captain in the English militia* and as a member of the British Parliament enabled him to understand aright tthe campaigns of the Roman generals and the debates of the ancient Roman Senate. We who are closet students of Indian history can deal only with old paper, with MS. records of the past ; we can touch only the exterior of the Mughal system. But the real working of that system, its inner springs and practical effect can be best understood only by men who combine a knowledge of Persian historical manuscripts with experience in the administration of the people of the provinces once subject to Mughal rule,—*i.e.*, by scholarly members of the Indian Civil Service in Upper India.

Now, modern European writers have studied only two departments of the Mughal administration in detail, namely, the land revenue and the army. Much information on these two subjects is advailable in English. I shall, therefore, leave the army department altogether out of this book, and as for the land-revenue confine myself to supplying additional information from manuscripts unknown to my predecessors.

§ 2. Traces of Mughal rule in our living present.

The administrative system of the Mughal empire has more than an academic interest for us. This type of administration, with its arrangement, procedure, machinery and even titles, was borowed by the Hindu States outside the territory directly subject to Muslim rule. It would not be a surprise to see the Mughal system copied by the vassal Rajahs of Jaipur or Bundelkhand, just as in our own day the British system is faithfully copied by the darbars of Baroda and Gwalior, Indore and Alwar. But the Mughal system was also the model followed by some independent Hindu States of the time. Even a staunch champion of Hindu orthodoxy like Shivaji at first copied it in Maharashtra, and it was only later in life that he made a deliberate attempt to give a Hindu colour to his administrative machinery by substituting Sanskrit titles for Persian ones at his Court ; but most of the names of departments records and subordinate officials in his kingdom remained Islamic, where they were not indigenous Marathi.

Thus, the Mughal system at one time spread over practically all the civilized and organized parts of India.

Nor is it altogether dead in our own times. Traces of it still survive, and an observant student of history can detect the Mughal substructure under the modern British Indian administrative edifice. When in the late 18th centuary a band of English merchants and clerks were unexpectedly called upon to govern a strange land and an alien race, they very naturally took over the Mughal system then prevailing among the people, made in it only the most necessary changes, and while retaining its old framework, they very reluctantly and slowly added such new elements as the safety and prosperity of the country demanded from time to time. This was the true character of the Anglo-Indian administration of Bengal and Bihar under Warren Hastings. Under his successors, after many intervals of repose, the administration has again and again departed from its Mughal original. But the new has been built upon the old ; our present has its roots in our past.

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* "The discipline and evolution of a modern battalion gave me a clearer notion of the phalanx and the legion, and the captain of the Hampshire grenadiers has not been useless to the historian of the Roman Empire." (Gibbon's *Memoirs*).

§ 3. The aims of the Mughal State.

Before we can understand the Mughal administrative system correctly, it is necessary for us to realize its nature and aims.

By its nature it was a military rule and therefore necessarily a centralized despotism. To the Muslim portion of the population the sovereign was the head of both Church and State, and therefore for them he undertook socialistic functions. But towards his non-Muslim subjects he followed the policy of the individualistic minimum of interference, *i.e.*, he contented himself with discharging only the police duties and the collection of revenue. The support of public education was not a duty of the State,—indeed it was recognized as a national duty even in England as late as 1870. According to Hindu and

Muhammadan political thought alike, education was the handmaid of religion. If the king spent anything on education, it was not an act of State, but a private religious benefaction for acquiring personal merit in the next world. Some schools were subsidized by the Padishahs, but it was only because they were attached to mosques or taught by families of holy men already in receipt of imperial bounty, or, in other words, because they served as seminaries for training *ulema* (theologians) for the service of the State Church. [Cf. *Ency. Islam,* iii. 170.]

Similarly, the encouragement of art and literature was a purely personal matter with the king ; its aim was to procure for him personal recreation or glorification, and not to promote national culture. Here the head of the State was exactly on the same footing as a rich private citizen and he recognized no higher obligation to his people.

In short, under Mughal rule the socialistic activities—I use the word in its broadest sense,—of a modern State were left to the community, to society or the caste brotherhood, and the student of Indian administration has to pass over them in silence.

The aim of the government was thus extremely limited, materialistic, almost sordid.

A minute study of the history of the Mughal empire in India on the basis of State papers and other original sources, impresses us with certain features as broadly characteristic of the administration.

§ 4. The imported foreign elements in the Mughal administrative system.

First, the Mughal governmental system took its colour from the race and creed of its sovereigns. They were a foreign Muhammadan dynasty who settled in India eight centuries after Islam had been adopted in certain countries outside India and a new administrative type had been developed in those countries.

Our Turkish conquerors brought with themselves to their new home the type of administration which had long been known to extra-Indian Muslim countries as the model, and which had been proved by the experience of centuries as the most successful, *viz.*, the administrative system of the Abbasid Khalifs of Iraq and the Fatimid Khalifs of Egypt. The Mughal administration presented a combination of Indian and extra-Indian elements; or, more correctly, it was the Perso-Arabic system in Indian setting.

The principles of their government, their church policy, their rules of taxation, their departmental arrangements, and the very titles of their officials, were imported ready-made from outside India. But a compromise was effected with the older native system already in possession of the field and familiar to the people governed. The details of the imported system were modified to suit local needs. The existing Indian practice and the vast mass of Indian customary law were respected so far as they did not run counter to the root principles of all Islamic

governments; and in all non-essential matters, in the spectacular side of politics,* and, generally speaking, in village administration and the lower rungs of the official ladder, the Indian usage was allowed to prevail, while the foreign model swayed almost exclusively the Court (which was a personal matter for the sovereign) and the higher official circles, (who drew their inspiration from Persia and Egypt).

This foreign element in the Mughal administration can be easily illustrated from the provincial administration. As Professor C. H. Becker of Hamburg writes: "In the early centuries of Arab rule two political functions were sharply distinguished [in Egypt, *viz.*,] the governorship and the treasury. The governor, [called] *āmir*, had control over the military and police only...Alongside of him was the head of the treasury, [called] the *'āmil*...These two officers had to keep a strict watch on one another. As head of the military and executive, the *amir* was the first [in authority], but they were equal in rank and the administrator of the treasury even had the greater influence [over the sovereign.]" (*Encyclopædia of Islam*, ii. 13.)

Now, this was exactly the relation between the *subahdar* or provincial governor and the *diwan* or revenue chief of the province. A concrete illustration of the official antagonism between the two and their mutual recriminations to their master—for, it was the duty of each, in the words of Prof. Becker, "to keep a strict watch over the other,"—can be found in the account of the History of Orissa in the 17th century, based on contemporary official papers, published in my *Studies in Aurangzib's Reign*, xiv §15.

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* Lord Clive performed the *punyāh* ceremony at Murshidabad! Here we have a Hindu revenue usage coming down from very ancient times through the Muhammadan age to the early British period.

So, too, in the division of the administration into departments the model of Islamic lands outside India was followed.

The second characteristic is that the Government was military in its origin, and though in time it became rooted to the soil, it retained its military character to the last. Every official of the Mughal Government had to be enrolled in the army list; he was given a *mansab* as the nominal commander of so many horsemen, which determined his pay and status. Civil servants, judges of Canon Law, superintendents of post, excise or customs, and even clerks and accountants of the higher grades, were all ranked as *mansabdārs, i.e.*, members of the army. Their names were arranged in the gradation-list of the army, they were paid by the *Bakhshis* or military paymasters and their promotion took the form of an increase in their nominal command. From this it followed that the Treasury or spending department of the Government was only one for the civil and military services alike, or in strict theory there was no civil Treasury at all. We should, however, remember that though the salary-bills were passed by the *Bakhshis* or military paymasters, the actual payment (except to the field army during a campaign)

was made by the *Diwān*, who was reckoned as a civil officer.

Thirdly, the main point to be noted about the land revenue system of Mughal India is its long and close adherence to the old practice, procedure and even tradition of the country. Indeed, the early Muhammadan conquerors very wisely retained the old Hindu revenue system intact, employed the old Hindu revenue officials, and seldom interfered with the working of this department so long as the land-tax was regularly collected and there was no striking default or peculation.

This remark is true of the land revenue alone, which has always been the most traditional and conservative branch of Government activity in India. But in the case of the other sources of State income, the Quranic law and the practice of older Islamic States outside India exercised their full influence, and we find in Indo-Muhammadan history repeated attempts to adjust the actual practice of the Government in the revenue department to the theory of the Canon Law of Islam in this matter.* Thus, the entire revenue system of the Mughal empire as it was developed in the 17th century was a resultant of two forces,—the time-honoured Hindu practice and the abstract Arabian theory.

Between these two discordant elements the compromise was not always happy or successful, and the dead weight of Indian usage in the end proved too heavy for the orthodox zeal of Quranic purists like Firuz Shah Tughlaq or Aurangzib. When they closed their eyes, or even in their lifetime, after a brief span of strict adherence to the Quranic precept and abolition of "innovations" (*bida't*), things fell back into their old traditional grooves. The subject will be more fully discussed in a subsequent chapter.

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* *E.g.*, Firuz Shah Tughlaq (in Elliot, iii. 377.)

§ 5. The State as a manufacturer.

Fourthly, in Mughal India the State was the largest manufacturer, or rather the only manufacturer on a large scale in respect of several commodities. The modern practice of Government buying ready-made goods in the open market, or giving orders for large quantities to contractors, would not have answered in those days of cottage industries, when production on a large scale by private capitalists with a view to sale was unknown. The State was, therefore, forced to manufacture the commodities it needed.

And its need was very large. Twice every year,—in the rainy season and the winter,—a robe (*khilat*) suitable for the season was presented by the Emperor to every mansabdar, and the number of mansabdars in 1690 is given as nearly 7,500 who were paid in cash and 7,000 who held jagirs. (Z. 15*a*.) For the higher nobles, one suit of the robe of honour consisted of several articles of apparel. In addition to these two seasonal gifts, the princes of the blood, the vassal Rajahs and many of the mansabdars and Court officials received robes of honour at the two birthdays of the Emperor (*viz.*, according to the lunar and the solar calculations), the lunar anniversary of his coronation, the two *I'ds*, and down to Aurangzib's reign on the old Persian New Year's Day, when the Sun enters the Aries (*nau-roz*). As a matter of rule, *khilats* were also bestowed on most persons when they were presented at Court or took leave, or were appointed to posts, and, for some time in Aurangzib's reign, on converts to Islam.

It will thus be seen that the imperial Government had to keep a vast stock of cloth and ready-made robes for its need during the year. Their supply was assured by the State maintaining many factories (*kārkhānahs*) of its own in the principal cities of the empire, where skilled workmen were brought together (sometimes from distant provinces), placed under a Government superintendent (*dārogha*), paid daily wages, and made to produce their handicrafts which were duly stocked in the stores.

The same thing was done with regard to various articles of consumption and luxury required by the Emperor's household. It was the business of the *Khan-i-sāmān* or Lord High Steward to buy such goods as were available in the market and manufacture the others well in advance of the time when they would be required. A detailed study of the *karkhanahs* will give us an idea of the immense field of State activity in the industrial sphere.

Fifthly, the Mughal Government was a highly centralized autocracy. The Crown was the motive power of the entire administrative machinery. Where the Government is absolute, the supreme authority concentrated in one man's hand, the territory large, the means of communication between the districts slow and difficult, the transfer of local officers frequent, and no political life or local initiative left to the people,—there the natural consequence is the multiplication of official correspondence and the growth of a vast mass of written records. The Mughal Government, except in the actual conducting of campaigns, was a *kāghazi rāj, i.e.*, paper Government. Its officers had to maintain many books, such as copies of correspondence, nominal rolls, descriptive rolls, history of the services of officers, newsletters and despatches received, as well as accounts in duplicate or triplicate, summary or full,—besides keeping an army of spies and couriers for the information of the central Government.

As an experienced Anglo-Indian administrator remarks in criticising the system described in the *Ain-i-Akbari*,—"Akbar was a master of detail: but here [in the *Ain*] detail is pushed to the extreme... It is everywhere assumed that the control of business depends on the compilation of appropriate registers, which is one of the besetting delusions of the native official of our days." (W. Crooke's *N. W. Provinces*, p. 101.)

§ 6. Law and Justice.

Sixthly, its attitude towards law and justice was opposed to modern conceptions. One of the most essential functions of a modern State is the administration of justice and the maintenance of order. Herein the Mughal Government was weakest and least capable of improvement and expansion with time. It, no doubt, undertook to defend the country from foreign invasion and internal revolt, and to protect life and property in the cities by its own agents. But the policing of the vast rural areas was left to the locality; it was done by the local *chaukidārs* who were servants of the village community and maintained by the villagers themselves out of the village land or by a share of the crops, and who were not considered as officers paid and supervised by the State. Instead of the Mughal Government undertaking responsibility for rural peace and security, it made the villagers responsible for the safety of their own property and that of travellers in the neighbouring roads. There was, no doubt, a Government agent there, *viz.*, the *faujdār*; but his jurisdiction was too large to allow him to attempt the supervision of the police of all the villages in that region. His recognized duty was to prevent or punish wide-spread or notorious acts of violence, such as rebellion by local zamindars, organized raids by large gangs of robbers, or the withholding of land revenue on a large scale.

As regards justice, the Mughal Emperor loved to pose as the fountain of justice and followed the immemorial Eastern tradition that the king should try cases himself in open Court. The subject will be more fully treated in a subsequent chapter.

§ 7. The State declines all socialistic functions.

Of the provincial administration little need be said. The work at the head-quarters of the province, *viz.*, that of the local *subahdar*, *diwan* and *qazi* followed the well-known lines of their counterpart at the imperial Court. As has been well remarked by a European writer, "Every subahdar tried to play the Padishah in his own province."

But of the political and economic life of the people, especially in the villages, no account has survived, and for a sufficient reason. The State in those days, as I have already pointed out, contented itself with the police duties and revenue collection,* and did not undertake any socialistic work, nor interfere with the lives of the villagers, so long as there was no violent crime or defiance of royal authority in the locality. Every village was left free to continue the noiseless even tenor of its life along the old grooves, untroubled by the Government, if it did not trouble the Government. The State refused to take the initiative in social progress, or the economic development of the people (as distinct from the domains of the Crown or *khālsa sharifa,* where it was like a private landlord), or the promotion of literature or art (except for the Emperor's personal gratification), or the improvement of communication (except for military purposes). All these things, where done at all, were done by private enterprise. Where there was any organized village community the initiative in these matters was taken by the headman or council of village elders; in all other places, the centre of local life was the zamindar or petty Rajah.

The policy of benevolent interference and paternal guidance of the lives of the people adopted by the Buddhist Emperor Asoka in his empire 250 years before the birth of Christ, was not attempted by any Mughal Emperor except Akbar. Wherever the Mughal local officers showed too active an interest in local life (outside the provincial capital), it was against superior orders and in consequence of a corrupt love of gain or spirit of partisanship. And the result of such interference was always bad.

Large empires of the mediæval stationary type of civilization and inhabited by diverse tribes, like the Chinese Empire, have held together, only because the central Government has wisely let the rural areas alone, giving to the people of each district freedom to live their lives according to immemorial usage if they supplied the fixed quota of local troops and their fixed share of the revenue of the State.

There was, therefore, something like local autonomy. But the geographical units enjoying such autonomy were so small and their activities were so purely municipal and social, that it would be more correct to say that the villages and small towns of the Mughal empire enjoyed parochial self-government rather than local autonomy. A people who do not possess political freedom and power of self-taxation for national (as distinct from sectarian or caste) purposes, cannot be said to enjoy local autonomy.

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* "Administrative nihilism," as Huxley called it, or "anarchy *plus* the policeman."

CHAPTER II.

The Sovereign and the Departmental Heads

§ 1. The Mughal Sovereign's legal position and powers.

According to the theory of the Quranic law, the sovereign is only the commander of the true believers (*āmir-ul-mumnin*) and is responsible to the general body (*jamāit*) of the Muslims for the proper discharge of his duties. But no constitutional machinery for controlling or judging him, such as a parliament or council of ministers responsible to the people, was in existence in any Muhammadan country or even conceived of. The Muslim State was essentially a military State, and depended for its existence on the absolute authority of the monarch, who was also its supreme general. The Roman Imperator's functions were similar, but according to the constitution of Rome, the sanction of the Senate to important measures of State and the popular election of the chief officials were devised as checks (however futile in practice) on the Emperor's absolutism. No such check existed in the Islamic world even in theory, though in practice the sovereign's action was often influenced by his fear of the Muslim soldiery and his reluctance to incur social odium.

No doubt, it was open to a number of theologians (*ulema*) to issue a decree deposing the sovereign as a violator of the Quranic law and therefore unfit to reign. But the only means of enforcing such a decree was a rebellion. There was no constitutional body that could peacefully depose one king and set up another. In fact, the successful removal of a tyrannical Sultan always implied the rise of a pretender with a superior military force at his back. The regular forces of the State were bound to obey the king *de facto* and not the *ulema* nor the council of ministers.

The Mughal Emperor had no regular council of ministers. The *wazir* or *diwān* was the highest person below the Emperor, but the other officers were in no sense his colleagues. They were admittedly inferior to him and deserved rather to be called secretaries than ministers, because nearly all their work was liable to revision by the wazir, and royal orders were often transmitted to them through him.

As a matter of practice, when the Emperor held his private consultation or *diwān-i-khās*, the other high officers (*viz.*, the chief Paymaster, the chief Qazi, the High Steward and the Commander-in-chief, if any), usually attended along with the wazir, and were consulted. But many important questions were decided by the Emperor and the wazir alone without the knowledge of the other ministers. It need hardly be said that neither the lower ministers nor even the wazir could serve as a check on the royal will. They could advise but never vote, and the insecurity and dependence of their position made it impossible for them to contradict the king even when he was clearly going on a wrong course. The Mughal government was, therefore, a one man rule, and Aurangzib, like his contemporary Louis XIV, was really his own prime-minister.

From this it will be seen that the Mughal Emperor had no Cabinet in the modern sense of the term. His ministers were mere secretaries who carried out the royal will in matters of detail ; but they could never influence his policy except by the arts of gentle persuasion and veiled warning ; they never resigned if he rejected their counsels. In short, the ministers directed the administration only when the Emperor slept. Such ministerial control was really a violation of the spirit of the constitution, (if I may use the name, where the thing did not exist) ; it indicated a state of anarchy like the periods when the Witenagemot effectively controlled the royal government of Anglo-Saxon England.

The immensity of the Mughal Emperor's power can be judged from the fact that he was the head of the Church and the State alike. Every Muslim sovereign is, in strict theory, the Khalif of the age, or the latest successor of the Prophet in the command of the faithful, and so long as he is not deposed by the verdict of the Quranic lawyers, his power is supreme.

The Mughal Emperors, like all other Islamic sovereigns, had to play a twofold part, *viz.*, to govern *all* the people in their dominions as their king, and also to be the missionary defender and agent of the creed of a *section* of their subjects. Therefore, from the Muhammadan portion of their subjects they levied the *zakāt* or tithes, amounting to one-fortieth of every man's annual increase, which they were bound to spend for the benefit of the faithful only,—by building mosques, subsidizing pious men and theological teachers, endowing saints' tombs and monasteries, relieving Muslim paupers and providing dowries for Muslim maidens. This *zakāt* passed into the public treasury in the same way as the land-tax or the custom duty. The best illustration of the Emperor's headship of the Church and the State alike is furnished by the fact that in later ages the Muhammadan rulers abused their trust by spending the *zakat* on their personal needs or for the general purposes of the Government.

§ 2. The Daily Life of a Mughal Emperor.

In the Persian histories we find full descriptions of the way in which the Mughal Emperors used to spend the day. [See *Studies in Aurangzib's Reign* ii.]

After doing his morning prayer and devotional reading, and appearing at the balcony of the salute (*darshan*) where he looked at elephant-combats and the parade of cavalry, the Emperor held his public audience in the *Diwān-i-ām* hall for two hours. The Paymaster-General reported to him the petitions of the military officers and immediately received His Majesty's orders on them, giving promotions to some, new posts to others. Officers who had come from the provinces and those newly appointed to some province or post were then presented by the heads of their departments...Next came the clerks of the department of the Crownlands or the Emperor's Privy purse. Through their chiefs they submitted their various proposals and received orders.

Then the courtiers who enjoyed the Emperor's confidence placed before him the despatches of the princes, governors and other provincial officers and also the presents sent by them. The letters of the princes and chief officers were read by the Emperor; the purport of the rest was reported to him. When this work was over, the Chief Sadar reported the important points in the despatches of the provincial Sadars. He also brought to the Emperor's notice cases of needy scholars, Sayyids, Shaikhs, and pious men, and secured grants of money for them.

Then, the orders previously passed about mansabs, jagirs, cash grants and other financial matters, were submitted to the Emperor a second time for confirmation. Next, the officers of the imperial stables paraded before His Majesty the horses and elephants, in order to show whether they were well-nourished, or whether their fixed rations had been stolen.

The Public Audience being over, the Emperor met his highest ministers and a few select persons in the hall of Private Audience (*Diwān-i-khās*) and transacted business of a confidential nature. Answers to the most important despatches received were here written, and *farmāns* were ordered to be drafted in reply to the others, according to the Emperor's verbal instructions. The highest revenue officers now reported on very important matters connected with the Crownlands &c. and learnt the Emperor's pleasure on each point. The Head Almoner brought to His Majesty's notice special cases of needy men, who received gifts. Then the works of skilful artisans, jewellers &c. and the plans of royal buildings to be constructed were examined and discussed.

This was followed when necessary by a secret council in the Shāh-burj tower to which only the wazir, and sometimes one or two specially invited officers, were admitted.

In the afternoon, a short public darbār was held after 3 P.M., if there was any business to be done. The courtiers and the officers of that night's guard made their evening salute, and the royal standards (*qur*) were presented.

In the evening, after candles had been lighted, the Emperor held a *soiree* in the *Diwān-i-khās*. Shah Jahan used to spend nearly two hours here, with his chosen associates, partly in attending to the administration and partly in pleasure.—such as vocal and instrumental music and dances. Aurangzib, however, was a Puritan. There was no music or dance at his Court; he only transacted business. The wazir reported on all affairs of the revenue department and took his orders. Other kinds of State business were also done here.

This routine was varied on three days of the week, namely Friday (which was the Islamic Sabbath), Thursday (which was a half-holiday), and Wednesday (which was the day of justice,—when no public audience was held but the Emperor sat in the *Diwān-i-khās* for trying cases.)

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§ 3. The chief departments and their heads.

The chief departments of the Mughal administration were :—

1. The Exchequer and Revenue (under the High *Diwān*.)
2. The Imperial Household (under the *Khān-i-sāmān* or High Steward.)
3. The military Pay and Accounts Office (under the imperial *Bakhshi*.)
4. Canon Law, both civil and criminal (under the Chief *Qāzi*.)
5. Religious endowments and charity (under the Chief *Sadar*.)
6. Censorship of Public Morals (under the *Muhtasib*.)

Inferior to these, but ranking almost like departments, were :—

7. The Artillery (under the *Mir Atish* or *Dārogha-i-topkhānah*.)

and 8. Intelligence and Posts (under the *Dārogha* of *Dāk chauki*.)

The innumerable *kārkhānahs* (*i.e.*, factories and stores), each under a dārogha or superintendent, were not departments. Most of them were under the *Khān-i-sāmān*.

§ 4. The Wazir or Chancellor.

'Wazir'* in the Mughal empire meant the prime-minister. It was an honorific title, without necessarily implying the charge of any particular branch of the administration. He was, no doubt, always the head of the revenue department, but it was in his capacity of *diwān*. All *diwāns*, however, were not wazirs, and we read of no Hindu *diwān* being given the high title of wazir. In Akbar's reign, however, the prime-minister was designated as *wakil*, while the finance minister was called *wazir* ; there were also a *diwān-i-kul*, and *diwāns* of jagir, of *buyutāt*, and of charitable grants (*sadāt*). [*Ain*. i. 260-268.]

Originally, the wazir was the highest officer of the revenue department, and in the natural course of events control over the other departments gradually passed into his hands. It was only when the king was incompetent, a pleasure-seeker or a minor, that the wazir controlled the army also. Thus, in its origin the wazir's post was a civil one, and his assumption of the supreme military direction was abnormal and a mark of imperial decadence. No doubt, the wazir, like every other high official

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* Scholars derive the word *wazir* from the Pahlavi root *vichir* (? Sanskrit *vichār*), meaning 'to judge'. Under the earlier Khalifs the Secretary of State was called the *Kātib*, *i.e.*, writer. But the Abbasides who borrowed much of the Persian administrative system, were the first to style him *wazir*. Gradually the wazir added to his original function of letters that of the head of the Treasury and even the right to decide petitions. Under the Ottoman Turks the number of wazirs varied, sometimes reaching seven. "As a rule, *wazir* in later times was simply a title of the high officials." [*Enc. Isl.* iv. 1135.] This was also the case in the Deccani Sultanates, where any high official (like Shahji Bhonsle or the Abyssinian Yaqut Khan of Janjira) was called a wazir. Not so in North India.

of the Mughal Government, was expected to command an army and often did actually lead a short expedition, but the necessity of his constant attendance on the Emperor prevented him from taking charge of military operations for a long time or at a distance from the imperial camp.

The wazir's office received all revenue papers and returns and despatches from the provinces and the field armies. He also acted as the king's representative on many ceremonial occasions. He wrote letters "by order" (*hasb-ul-hukm*) in his own person though under the Emperor's directions. All orders for payment, except for small sums or money previously allotted, had to be signed by the *diwān*, and the payment (except to the field army and the workmen of the State factories) was made through his department only. So, too, all questions connected with the collection of the revenue were decided by the *diwan*, who consulted the Emperor in important cases and frequently reported to him the state of the Treasury. Some of the famous wazirs of the Mughal period were also masters of Persian prose and they acted as secretaries in drafting royal letters to foreign rulers on behalf of their masters.

It was only under the degenerate descendants of Aurangzib that the wazirs became virtual rulers of the State, like the Mayors of the Palace in mediæval France.

§ 5. The Bakhshi or Paymaster.

Every officer of the Mughal Government was enrolled as a commander of so many horsemen.

This title was only a convenient means of calculating his salary and status. It did not mean that he had actually to maintain so many horsemen in his service. Thus, theoretically even the civil officers belonged to the military department, and therefore the salary bills of all officers had to be calculated and passed by the paymasters of the army. These paymasters (*bakhshis*) were increased in number with the growth of the empire, till at the end of Aurangzib's reign we have one chief Bakhshi, called the *Mir Bakhshi* or Imperial Paymaster and popularly as the First Bakhshi, with three assistants called the 2nd, 3rd and 4th Bakhshis.

Each field army of the Mughal empire was placed under a general appointed for the occasion, being usually a prince of the blood (if available), under the guardianship of a senior noble when the prince was a mere youth. Though on several occasions we have officers invested with the title of *sipah-salar* or 'commander of troops,' it was only a mark of honour and they did not really command the *entire* Mughal army. The Emperor was the only commander-in-chief.

The artillery branch was, however, placed in charge of an officer called the *Mir Atish* or, popularly, *darogha-i-topkhanah*. Not only the artillerymen but also the musketeers were under his command. As the artillery of the Turks of Europe was much more advanced and efficient than that of the Mughal Emperors, the latter tried to get for their Mir Atish any good officer of the Turkish empire or even Persian that they could secure. On the whole, the

Indian Muhammadans were remarkably incompetent in handling artillery, and this department was filled with Turkish and Feringi gunners and cannon-founders, while the musketeers were mostly recruited from certain Hindu tribes, such as the Bundelas, the Bahelias, and the men of Buxar. Each province and field army had its own special chief of artillery.

I shall not discuss the military department any further, as it has been fully treated in William Irvine's *Army of the Indian Moghuls*.

§ 6. The Khan-i-saman or High Steward.

The High Steward was a very important officer of the Mughal times, as he was the head of the Emperor's household department* and accompanied him during his journeys and campaigns. All the personal servants of the Emperor were under this officer's control, and he also supervised the Emperor's daily expenditure, food, tents, stores, etc. Naturally, the Khan-i-saman enjoyed great trust and influence, and there are examples of wazirs being appointed from among the Khan-i-samans.

§ 7. The Judiciary.

The Emperor, as "the Khalif of the Age," was theoretically the highest judge and used to hold courts of justice and try select cases personally on Wednesdays. But the court held by him was a

tribunal of the highest appeal rather than a court of first instance. The Qāzi was the chief judge in criminal suits, and tried them according to Muslim law. Not only all cases between Muhammadans, but also all important criminal cases in which one of the parties was a Muhammadan, had to be instituted in the Qāzi's court. Assisted by a *mufti,* who consulted the old Arabic books on jurisprudence and stated the abstract law bearing on the case, the Qāzi pronounced sentence.

Naturally, the great power and irresponsible position of the Qāzi enabled him to turn his office into a vast field of corruption, and all the Qāzis of the Mughal period, with a few honourable exceptions, were notorious for taking bribes. (*History of Aurangzib,* iii. ch. 27 § 10.) The supreme Qāzi of the empire was called the *Qāzi-ul-quzāt* and also "the Qāzi of the imperial camp" and he always accompanied the Emperor. Every city and even large village had its local Qāzi, who was appointed by the Chief Qāzi. These posts were often sold for bribes, and the Qāzi's department became a byword and a reproach in Mughal times.

The following is the customary charge of the diwan to a newly appointed Qazi: "Be just, be honest, be impartial. Hold trials in the presence of the parties and at the court-house and the seat of Government (*muhakuma.*)

"Do not accept presents from the people of the place where you serve, nor attend entertainments given by anybody and everybody.

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* Manucci writes:—"He had charge of the whole expenditure of the royal household in reference to both great and small things."—(*Storia do Mogor,* ii. 419). See, also, my *History of Aurangzib,* iii. Ch. 27 § 9.

"Write your decrees, sale-deeds, mortgage-bonds and other legal documents very carefully, so that learned men may not pick holes in them and bring you to shame.*

"Known poverty (*faqr*) to be your glory (*fakhr*)" [Manual, pp. 43-44.]

The *Mufti* is urged to spend his days and nights in reading books on jurisprudence and the reports of cases from which one can learn legal precedents. When he finds the judgment proposed in a case by the Qazi under whom he serves to be opposed to all precedent, he should tell him politely, "Sir, in a similar case, reported in such and such a book, the judgment is given thus. It would be better if you pronounce your own judgment after reading that book."

The Mufti should train himself during his leisure-hours by copying learned legal decisions and discussions of judicial principles from authoritative text-books. [Manual, 45-46.]

The Sadar was judge and supervisor of the endowments of land made by the Emperor or by the princes for the support of pious men, scholars and monks. It was his duty to see that such grants were applied to the right purpose and also to scrutinize applications for fresh grants. Assistance was often given in cash also. The rent-free land granted bore the names of *sayurghal* (Turkish), *madad-i-māsh* (Arabic), *aima,* etc. The Sadar was also the Emperor's almoner and had the spending of the vast sums which the Emperors set apart for charity in the month of Ramzan and other holy occasions,—amounting to 1½ lakhs of Rupees in the reign of Aurangzib, and at Court ceremonies. The Sadar's position offered him boundless possibilities of enriching himself by means of bribes and peculation, and the Sadars of Akbar's reign were notorious for their venality and cruel spirit.

The Chief Sadar of the empire was called the *Sadar-us-sadur,* the *Sadar-i-Jahān,* or popularly the *Sadar-i-kul.* In addition, every province had its local Sadar. Practically the Sadar was exclusively a civil judge, but not of all civil cases. For the posts of Qāzi and Sadar, men of high Arabic scholarship and reputed sanctity of character, wherever available, were chosen.

The Chief Sadar, when sending the provincial Sadars to their charges, is instructed to give them lists of the recipients of rent-free lands and daily allowances in their respective provinces, and copies of the Emperor's regulations concerning the death or flight of the servitors [of the mosques], *aimadārs, rozinadārs,* students and other persons in receipt of stipends (both hereditary and new), and to urge them to act according to the imperial orders. [Manual, 41-42.]

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* Two Marathi sanads of the middle of the 17th century give the duties of qāzis in the Deccan as—trying lawsuits, putting down oppressions and quarrels, arranging for the marriage of orphan girls, dividing the heritage of dead men according to Canon Law, writing out the papers of *chakbandi* and Canon Law decisions. Some of these qazis were also muhtasibs and had to discharge the duties of the latter in addition. [Mawjee and Parasnis, *Sanads* and *Letters,* pp. 79 and 81.]

§ 8. The Censor of Public Morals.

According to Muslim law, it is the king's duty to appoint an Inspector or Censor of Public Morals (*Muhtasib*), for regulating the lives of the people in strict accordance with the scriptural rules. The Censor's functions are to enforce the Prophet's commands and put down the practices forbidden by him (*amr wa nahi*),—such as drinking distilled spirits and fermented beer, *bhang* (*i.e.*, hemp or *Cannabis sativa*) and other liquid intoxicants, gambling and certain kinds of sexual immorality. Dry intoxicants were not condemned, and we find both opium and *ganja* (*i.e.*, the dried hemp plant) allowed, though Aurangzib forbade the cultivation of the *bhang* plant throughout his dominions. The punishment of heretical opinions, blasphemy against the Prophet, and neglect of the five daily prayers and the fast of Ramzān by Muhammadans also lay within the province of the Censor. He used to go through the streets with a party of soldiers demolishing and plundering liquor-shops, distilleries and gambling-dens wherever he found them, breaking with blows the pots and pans for preparing *bhang*, and enforcing the strict observance of religious rites on the part of the Muhammadan population. Sometimes his retainers had armed conflicts with the bold sinners who showed fight. The demolition of newly built temples was one of this officer's duties. (*History of Aurangzib*, iii. Ch. 28§2 and 34 app. 5)

The following instructions are given to a newly appointed *Muhtasib* (Censor) as to his duties:—

"To those Muhammadans who do not know the rules of worship according to the true faith and Musalmani conduct or ceremonies, you should give instructions in these matters. If they plead inability, reprimand or chastise them.

"In the bazars and lanes observe if any one, contrary to the regulations and custom, has screened off (*ābru*) a part of the street, or closed the path, or thrown dirt and sweepings on the road,—or if any one has seized the portion of the bazar area reserved for public traffic and opened his shop there; you should in such cases urge them to remove the violation of regulations.

"In the cities do not permit the sale of intoxicating drinks nor the residence of 'professional women' (*tawāif*, literally dancing girls), as it is opposed to the Sacred Law.

"Give good counsel and warning to those who violate the Quranic precepts. Do not show harshness [at first], for then they would give you trouble. First send advice to the leaders of these men, and if they do not listen to you then report the case to the governor." [Manual, 47-48.]

In later times in some provinces the Censor had also to fix the prices of goods and enforce the use of correct weights and measures in the markets. [*Sanads and Letters*, p. 81, *Mirat*, Sup. 174] But elsewhere this work was done by some other officer, such as the *kotwal*.

CHAPTER III.

The Treasury and Household Departments

§ 1. Diwān or Chancellor of the Exchequer.

The Exchequer was presided over by the High Chancellor (*Diwān-i-ala*), who bore the courtesy title of *wazir*, and had two assistants called the *Diwān-i-tan* (or Diwān of Salaries) and the *Diwān-i-khālsa* (or Diwān of Crownlands.)

The term *diwān* has been derived by orientalists from a hypothetical Iranian word *diwān*, connected with *dabir*, meaning 'writer',—(like the Turkish official title *bitikchi* which means 'writer.') The first use of the word *diwān* was in the sense of the public *register* of receipts and expenditure kept in Greek (in Syria and Egypt) and in Pahlavi (in Persia) in the early years of the Arab conquest. The name next passed to the officers of the Treasury and thence extended to the *government* of the Abbasid Khalifs, and in Saladin's time to the Khalif himself. (*Encyclopædia of Islam*, i. 979.)

We can get a clear general idea of the High Diwan's position and duties if we bear the following facts in our mind:

(*a*) He was the intermediary between the Emperor and the rest of the official world.

(*b*) Practically all official records (except

those of a technical character or containing minute details) had to be sent to his office for his inspection and storage under his control. His was the Public Records Office.

(*c*) Abstracts of all transactions and payments in all departments (except the smallest) had to be inspected and criticised by him.

(*d*) No order for appointment (except that of menials, workmen and privates in the army), promotion or large payment could have effect without his written sanction.

(*e*) He kept in his own hands the threads of the revenue collection and expenditure in all parts of the empire and often in great detail, and the Emperor kept his finger on the pulse of State finance by means of the abstracts which the diwan had to submit to him almost daily, and also by frequently asking him to read the details out.

(*f*) Within certain limits he was given full discretion as to what matters he should report to the Emperor and take his orders on them, and what matters not.

(*g*) He was the embodiment of the Government on the administrative side and had to give formal leave (*rukhsat*) to all high officers on their appointment, charge them solemnly with their duties, and receive regular reports from them on the state of their provinces.

(*h*) The provincial diwāns were constantly and minutely controlled and guided by him from the imperial Court. Revenue was his own special department, and these diwans and their underlings stood in direct contact with him.

(*i*) His seal and signature were necessary for the validation of most papers (including copies of the Emperor's writings or reports of his verbal orders) and the authentication of the true copies of nearly all official documents.

§ 2. Records that had to reach the Diwan's office.

Cash balances (*tahvils*) the records of which must go to the office of the diwan :

I. Those whose *siāha* and *āwārija** alike are sent to the diwan's office :

The funds (*khāzinah*) of—

1. *Itbāʿ*, meaning, followers, retinue or staff.
2. *Ahadis* (gentlemen troopers)
3. Rewards (*ināʿm*)
4. Cash inside the *mahal* (female apartments)
5. The deer-park

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* *Siāha*—The daily ledger or account book of the receipts and disbursements......specifying all sums received, whether regular or miscellaneous, and all items of disbursement, whether customary or incidental.

Āwārija—An abstract account of receipts and disbursements; a rough note-book (Wilson's *Glossary*, 481 and 40).

6. Recovery of aids or advances to officers (*bāz-yāft-i-musāʿidat*)
7. Arrears (*baqāyā*)
8. *Barq-āndāzes* (door-keepers, or guards armed with sword and shield)
9. Fines
10. General expenditure (*kharch-i-kul*)
11. Cattle food (*khurāk-i-dawāb*)
12. Menial servants (*shāgird-pesha*)
13. *Bahlah*. "By order of His Majesty, a person of known integrity keeps in the public audience hall some gold and silver for the needy, who have their wants relieved without delay...His Majesty entrusts to one of the nobility a large sum, a part of which is carried in a purse (called in Hindi, *bahlah*). This is the reason why such disbursements are called in the language of the country *kharch-i-bahlah*." (*Ain*. i. 15.) [I do not prefer the other reading, *Bahlia* or foot-musketteers.]
14. Cash in exchange of jagir (*ʿiyuz-i-jāgir*)
15. The Lady Begams
16. Hire of porters and transport animals (*kirāyā*)
17. *Nim-gosht* and *pāo-gosht* [*Ain*. i. 217.]
18. Ready-money (*mablaghi*) ?
19. Advances (*musāʿidat*)
20. *Nazar* to the Emperor
21. Minting (*zarābat*.)

22. Damage to crops (*pāimāli-i-zarā'at*)
23. The servants (*khādimān*) of the *mahal* (*i.e.*, harem) ......

II. Those funds of which the *siāha* is not sent, but only the *āwarija*, to the Diwān's office:

1. The butler's department (*ābdār-khānah*)
2. Articles in the Octagonal tower (of Agra fort)
3. *Āsbab-i-mablaghi.*
4. *Ajnās* (various wares.)
5. Ewer-holder's department (*āftābchi-khānah*)
6. Smithy.
7. Kitchen with four branches
8. Records (*basta-khānah*)
9. Betel-leaf department,—(*a*) betel-leaf and (*b*) vessels for the same
10. *Bhanda-khānah* (large earthen pots)
11. *Top-khānah,* here meaning not the general Artillery department, but the musketeers and artillerymen guarding Delhi palace and forming the Emperor's escort. I reject the alternative reading, *naubat-khānah* or band room.
12. Litter (*chaudol-khānah*)
13. Chinaware store.
14. Store of small shells or *kauri* (*khar-muhra*)
15. Leather goods store.
16. Prayer carpet store (*jā-namāz khānah*).
17. Slaughter house.
18. *Charkhi-khānah* (fire-works)?
19. Scents
20. Palace buildings

21. Fodder of oxen
22. Fodder of camels [text reads *tigers*]
23. Department for setting oyster shells (*khatam bandi khānah*)
24. Covers of the trays of food
25. Balance room (*dandi-khānah*)
26. Cauldron store, copper vessels
27. Tray store
28. Gold embroidery store.
29. Saddle store.
30. The reins of carriages (*sutla khānah*)
31. *Sukh-sajyā,** or cosy bed.
32. Trappings (*rakhwat*) department with four branches—(*a*) trappings for [hunting] leopards, (*b*) for elephants, (*c*) for *haveli* and (*d*) for *bārish-khānah* (monsoon house)
33. Lamps and candle store.
34. *Sharbat khānah* (drink.)
35. Sandalwood-ware store.
36. Plate and saucers, consisting of (*a*) gold-ware, (*b*) copperware, (*c*) damascened-ware, and (*d*) *Kirkirā qi* (See X § 15.)
37. Food of animals.
38. Standard and arms department,—the cash servants of the branches of (*a*) standards, (*b*) swords, (*c*) maces and (*d*) spears.

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* *Sukh-shajyā* is a Sanskrit word meaning 'cosy bed'. Aurangzib carried it with him in the Deccan as we find from the Court-bulletins of 1701-2. The *Ain-i-Akbari* (ii. 122) describes a *sukh-āsan* (or cosy litter) used by the rich men of Bengal in travelling.

39. Library
40. Gongs (*ghariāli*)
41. Torches
42. Earthen pots
43. Fruits
44. *Sadānand* [*ganjā* or any other special intoxicant]
45. Pictures
46. Silverware
47. Food of the *shir* (hunting leopards) [Z. 13*b*—14*b*].

§ 3. Individual diwans' modes of transacting business.

We can get a clear idea of the High Diwan's office-work and method of transacting business from the recorded practice of some of the famous diwans of the middle of the 17th century. (D. 101*a*—102*a*.) Sadullah Khan (the most famous wazir of Shah Jahan) used to proceed in the following way:

First he read the letters received and replied to them. Then he selected the applications of the *tankhā* department which were fit to be accepted, and submitted them to the Emperor with reasons for their acceptance, after signing his name at the bottom. Next, the papers of the department of rent-free land grant (*āima*) were signed. Thereafter the abstract memos (*yād-dāsht*) of the amin's office were signed by him. Finally he gave a hearing to the plaintiffs. Before leaving office he used to listen to the agents (of the princes, governors and other nobles) who pressed their requests.

The distribution-list of the *chauki* (*i.e.,* mounting guard round the palace on different nights by different nobles), was signed by him in the morning before all other work.

He used to draft the royal letters in private, but urgent ones were composed by him in his office room.

Jafar Khan's office-procedure was the following:—First he drafted the farmans and urgent letters. Then he read the papers of the *tankhā* office, applications (*arzi*) and orders (*parwānahs.*) Next he immediately took into consideration any paper of the *Khālsa* department, or any *naqdi* or abstract-memo, etc., that any one submitted to him, disposed of it, and then applied himself to other business.

Between the death of Sadullah Khan (7th April, 1656, O.S.), and the installation of Mir Jumla as his successor (7th July, 1656), and also during 1657—1663 Rajah Raghunath acted as officiating *diwān*. He used to conduct the work of the Exchequer thus:—

He reported to the Emperor the purport of the petitions received, in the same manner as the High Diwan, and then placed the papers before His Majesty. After drafting the royal letters (*farmāns*) he submitted them to the Emperor, after whose approval they were written out fair. On the attested copies (*tasdiqāt*) of the mandates (*risālah*) of the diwan,—according to which the abstract memos were drawn up,—he used to write, 'Incorporate with the report of events (*wāqia.*)' On the abstract-memos of the *wāqia* he wrote 'Bring to His Majesty's ears a second time (*arz-i-mukarrar*, for confirmation) and compare with the original *wāqia*.'*

On the abstracts of *wāqia*,—according to which the *farmāns* were written,—he wrote 'Write an imperial farman [on the subject.]' He put his signature on the *siāha* of jagirs and the *daul* (estimate) of cash *tankhā*, on the settlements of accounts (*muhāsibat*), on the parwanahs of all

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* The procedure will become clear from the full description of it given in the *Ain* (i. 258-259) :—His Majesty has appointed fourteen clerks [*wāqia-navis*.] Their duty is to write down the orders and doings of His Majesty and whatever the heads of the departments report...appointments to mansabs, salaries, jagirs, grants of cash or land [in charity], the issue of orders,...battles, deaths,...the reports of events. After the diary has been corrected by one of His Majesty's servants, it is laid before the Emperor, and approved by him. The clerk then makes a copy of each report...and hands it over to those who require it as a voucher, when it is also signed by......that person who laid it before His Majesty. The report in this state is called *yād-dāsht* or memorandum.

Besides, there are several copyists who...receive the *yād-dāsht* when completed, keep it with themselves, and make a proper abridgment of it, called *taliqa*, which is signed and sealed by the *wāqia-navis*, the *risālahdār*, the *mir-i-arz*, and the *dārogha*. They return this *taliqa* [to the man] instead of the *yād-dāsht*. The *tāliqa* is then signed and sealed by the ministers of State.

Tasdiq—verifying, attestation; a countermark attached to documents passing through the hands of Government officers or clerks, especially petitions for assignment of revenue. (Wilson, 513.)

offices, on the attested copies of the *āima* of the Crownland office, on the letters (*arzi*) from the treasuries, on the permits (*dastaks*) for *tankhā* in cash: and also affixed his seal to the last-mentioned papers. He signed the papers of distribution of jagir (*taqsim*.)

His seal was impressed on the rooms of the Public Treasury and the bags of money [in them], on the abstracts of the reports (*wāqia*), on the acknowledgments (*qabz*) of the monthly salary of the *ahadis barq-āndāzes* and menial servants, on the sheets of the reports from the provinces which the news-letter-reader at the imperial Court after reading them to His Majesty used to send to the imperial Record Office, on the slips (*nuskha*)* of the provinces sent by the [provincial] diwan or other officers.

On *farmāns* he wrote 'Enter in the book' (*sibt numāid*.) (*Sibti farmāns* are described in *Ain*. i. 260.)

§ 4. Duties of the Diwan of Crownlands.

So much for the High Diwān. The duties of the Diwan of Crownlands (*khālsa*) were the following [D. 87 *b* ; Z 30*b*) :—

The posting of the subahdārs, faujdars, āmins, diwāni officers, kroris,† and dāroghas of the provinces,—of the āmins, mushrifs and tahvildārs of mahals,—of the fotahdārs, clerks of issue (*bar-āmad-navisān*), dāroghas of āmins, mushrifs and khazānchis of [provincial] treasuries,—of the sazāwals of papers, —the āmins and kroris of arrears,—the collectors of the *mutāliba* (recovery of loans or advances made by Government) and [the dues from] the zamindārs.

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* *Daul*—an estimate of the amount of revenue which a district or estate may be expected to yield; valuation. (Wilson, 129.)

Nuskha—a copy, a specimen or draught of a writing etc. (Wilson, 381.)

† *Krori*—the collector of a revenue area yielding one *kror* of *dām* *i.e.*, 2½ lakhs of rupees. The office was insti-

On parwānahs the High Diwān should write 'correct' (*sad*) and the *Diwān* of Khālsa should write 'seen' (*mulāhiza shud*).

Among the duties of the Diwān of Khālsa were to answer the inquiries of the lower officials (*amāl*) ; to issue letters-patent (*sanad*) for services ; to issue orders (parwānahs) on the parganāhs assigning the cash salary (*tankhā*) of the Emperor's sons and grandsons, according to the *daul* prepared by the cash department [of the Treasury] ;—also parwānahs for the recovery of Government advances, for the payment of the fixed salaries of the servants (*āhal-i-khidmat*), the customary commission of the fotahdārs,

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tuted by Akbar, but the jurisdiction of a *krori* soon lost all relation to the above amount of revenue.

Mushrif—an examiner (of accounts), *i.e.*, auditor; an officer of the treasury who authenticates accounts and documents. (Wilson, 358.)

Fotahdar—a cash-keeper, a money changer, an officer in public establishments for weighing money and bullion, and examining and valuing coins. (Wilson, 160.)

Sazawal—a bailiff or agent appointed to compel payment or attendance; an officer specially appointed to take charge of and collect the revenue of an estate from the management of which the owner or farmer has been removed. (Wilson, 473.)

and the collection-fee of the kroris ;—parwānahs on complaints,—for the attachment [of property or crops] for unpaid arrears,—for calling up money from the [subordinate] treasuries,—for cash assignment in payment of things ordered to be manufactured [for the State, *farmāish*] and whatever is ordered on the provinces and troops,—for investigating any matter reported in the news-letters ;—to write letters by order (*hasb-ul-hukm*) on any subject as desired by the Emperor ;—to issue permits (*dastak*) addressed to the clerks (*mutasaddi*) of the treasuries about the fixed *tankhā* which might be ordered to be paid out of the Public Treasury,—permits addressed to the treasurers about the *tankhā* that may be ordered to be paid to the [sub] treasuries and the troops,—passports for roads, passes for workmen.

The Diwan of Khālsa was to submit to the Emperor in writing a summary of the despatches of the lower diwani officers and clerks (*amāl*) that were fit to be reported, and to reply according to the regulations to those that required reply. The other prayers were to be verbally reported, or, if worthless, to be initialled by him without reporting to the Emperor.

Then we have lists of the papers which had to be read to the Emperor by this Diwan and of those that had to be merely initialled by him without submission to his master. Even in the case of the former class, the Diwan could withhold unimportant papers if he thought fit. He had also to report to His Majesty the cash balances of the treasuries very frequently and the doings of the zamindars.

All parwānahs for cash payment in the imperial Household department were issued by the Khan-i-saman, and the Diwan merely endorsed them.

The Diwan of Khalsa had to endorse the security-bonds (*tamassuk-i-zāmini*) of the workmen and those for the repayment of State loans (*mutāliba*), and the indemnity-bonds (*muchilka*) signed by certain officers binding themselves to carry out certain specified tasks on pain of fine.

Reports from the fotahdars and khazānchis of the parganahs and provinces stating the amounts they had recovered from the loans or advances made by Government, [had to be read by the Diwan of Khālsa.]

The High Diwan should write 'sanctioned' (*manzur shud*) and the Diwan of Khalsa 'seen' on the *badar-navisi** of the *amāl* (clerks) in the Khālsa office.

The High Diwan should write 'pay into such and such a fund' (*tahvil-i-falān numāid*) on the audit-reports (*muhasibāt*) that are brought [to him] for signature by the *mustaufis, viz.*, the mustaufis of revenue (*māl*), the mustaufi of *rās-ul-māl* (=trading stock, or the original prices of articles), the mustaufi of treasuries, the mustaufis of arrears, the mustaufis

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* *Badar-navisi*—writing off items of an account which are objectionable or excessive; audit of an account. (Wilson, 43.)

Mustaufi—an examiner or auditor of accounts, the principal officer of the department in which the accounts of ex-collectors or farmers of the revenue were examined. (*Ibid*, 358.)

of *āmuāl* [attached property of officers who died indebted to Government], and the mustaufi of *jaziya*. He should also sign the attestation copy of the fixed salaries of workmen.

The High Diwan should sign the sheets of the abstracts (*zimn*)* of imperial farmans and the Diwan of Khālsa should sign the sheets of the abstracts of Diwani, faujdari and āmini works (*khidmāt*).

The *siāha* of *āhkām* (imperial orders in writing) should be sent directly to the offices of the High Bakhshis, the Khān-i-sāman, and others.

The duties of the Diwan of Khālsa include—investigating into the notes (*nuskha*) of the revenue department,—correction of the *tumār-i-jama* (record of total standard assessment) of the Crownlands, estimating (*barāwardān*) the expenditure of the troops and the Emperor's personal staff and retinue.

The facts about dismissed officers, compiled from the office-records, should be initialled by the High Diwan. An attested copy of it should be sent to the officer concerned and the *siāha* to the offices of the High Bakhshi, etc.

The Diwan of Khālsa drew up the statement of the income and disbursement of the imperial camp and of all the subahs, and kept the records of the *tankhā* (allowance) of the Begams and lists of the

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* *Zimn*—the endorsement of a grant giving an abstract of its contents. Formerly the words *zimn navisand*, 'let them write the abstract' were inscribed on a sanad granting an assignment of revenue, which served as authority for the subordinate officers to make out the particulars of the grant. [Wilson, 567.]

mahals (villages) of the Crownlands, workmen and annual lists (*fihrist*? statistical abstracts.)

The High Diwan's office kept copies of all sheets signed by the Emperor.

Then we have a long list of the papers which the Diwan of Khalsa had to secure from different classes of officials, such as revenue officers, amins, kroris, collectors of *sair* mahals, clerks of the treasuries, etc.

§ 5. Duties of the Diwan of Tankha.

The *Diwan-i-tan* dealt with the following matters [Z. 34*b*—36*a* ; D. 89*b*—90*b*] :

(A) Requiring submission to the Emperor :
  Whatever appertained to the subjects of jagirs and cash *tankhā*.
  Facts relating to zamindars.
  Daul of the jagirs of subahdārs.
  Records of arrears.
  Āwārija of the parganahs.
  Taujih of the jagirdars.
  Ranks of the mansabdārs.

(B) Orders (*parwānahs*) relating to the granting (*tankhā*) of jagir, cash salary, fixed salaries of workmen and the people of the *tahvils*,—on complaints and for investigation of the matters reported in the news-letters,—orders for the attachment of jāgirs [in the case of officers who] have been transferred from a parganah,—orders for the recovery of advances made to mansabdars.

(C) Sheets to be signed—the *siāha* of jāgirs, the grant of aid (*musā'idat*), sheets of the demand for the restitution of advances, requests.

(D) Permits (*dastaks*) for grant (*tankhā*) of cash and grant of aid.

(E) After the Emperor had signed the rolls (*tumārs*) of arrears and of officers whose pay was due (*talbdār*), the High Diwan should attest with his signature the copy of the Emperor's writing on these papers. Imperial orders (*āhkām*) should be communicated immediately to the offices of the Bakhshi and others. The audit-reports [or settlements of accounts] should be brought by the mustaufis of jagirdars, *iyuz-i-jāgir*, and advance-treasury, [to the Diwan] for signature.

The *daul* of cash payment should be signed by the Diwan-i-tan. On the sheets of branding and verification of cavalry he should write 'approved'.

On the abstract-memos of the salaries of workmen he should write 'From such a date in such a year pay cash tankha.'

The memos of the mansabdars and others should be reported to the Emperor a second time, for confirmation ; on them the diwan should write 'Truly compare [with the original.]'

(F) *Āima* and other things—farmāns, memos, parwanahs for grant of subsistence allowance (*madad-i-māsh*). Keep them in the office of the news-letters of the provinces etc.

(G) The writing office—farmāns in terms of the Emperor's dictation,—parwānahs 'by order' (*hasb-ul-hukm*).

§ 6. Duties of the High Steward.

The *Khān-i-sāmān* or High Steward, as I have already pointed out, was the second highest officer in the realm and stood immediately below the Diwan. He has been well described as "really the *diwān of expenditure*". [Manual, 17.]

He is thus instructed about his work, (Manual, 17-21) :—

"Take over the cash balance and collected articles in the Household Department, which are kept under the seals of the late Khān-i-sāmān at the time of his vacating his office and the seals of the mushrif and tahvildar ; satisfy yourself that the stock agrees with the records, or else call upon them to make the deficit good.

"Keep with yourself one set of the records of expenditure per annum arranged under the heads of the different *kārkhānahs* (*i.e.*, stores and State factories). Find out how many *khilats* (robes) are there in the *khilat-khānah* and so on in every *kārkhānah*. If the requisite stores are wanting, write out a statement of the expenditure (*sarānjām*) necessary for supplying the want, apply to the proper authority, take from him a payment order on the diwan for the *sarānjām* and make the things.

"In order that the Khan-i-saman may be in a position to supply all articles that may be required, it is his business to buy them with Government money or on credit from traders, and keep them ready, and deliver them to Government at need at the market price. If he is a rich man himself, he ought to buy and stock the things, so that he may not have to beg of others at the time of need, but issue them after valuation at the market rate. Thus his master will have no occasion to be displeased at delay in supplying. If the Khan-i-sāmān supplies his own things at the market rate, most probably Government will make a saving by the transaction ; but the clerks of the Government will allege that he is selling things to the State at a profit ; therefore, he ought to ask the Emperor beforehand to advance him money to buy everything and stock it for supply when needed.

"Old and secondhand stores should be sold to the army, after taking permission [of the Emperor] and learning their current prices from a *muqim* [broker or appraiser.] Keep the price-list, signed by the *muqim*, with yourself [for your defence.]

"Buy beautiful things which are likely to prove agreeable [to the Emperor] and keep them [for presentation on suitable occasions.] On the two *Ids* and other festive occasions, keep the robes [of honour] and other customary official gifts ready [for issue] a month or two before the dates, so that you may not have to plead inability to supply when they are needed.

"Treat well and attach to yourself by the ties of gratitude artisans like goldsmiths, enamellers, die-carvers [for coins], net-weavers, plain-workers in metal [*sādah kār,* a class of goldsmiths], etc., etc."

The duties of a Khan-i-saman are thus enumerated in the *Dastur* :—

(1) Attestation [of the salary-bills] of the workmen and menials from the monthly, yearly and daily rolls [of attendance] of those newly appointed as well as increment [in the salary] of the old ones.

(2) First appointment, dismissal and posting of *dāroghas, āmins, mushrifs,* and *tahvildārs* [of the various *kārkhānahs.*]

(3) Laying down rules for the work of the *kārkhānahs* and treasuries [of the Household department.]

(4) [Writing] slips for hire and wages of labour.

(5) Replying to the prayers of the managers of the *kārkhānahs.*

(6) Issuing permits for the granting [of State houses] as reward and for allowing [nobles to lodge temporarily in] them.

(7) Inspection of *nim-gosht* and *pao-gosht.*

(8) Taking bonds for money security from the menials and managers [of *kārkhānahs.*]

(9) Considering applications from the workshops and stores.

(10) Taking care of the *nazar,* charity-fund, and presents.

(11) Fixing the daily rations of cattle.

(12) Permits for the loan of articles from the *kārkhānahs.*

(13) Permits for the distribution of food [from the royal kitchen], its increase or decrease, and the letters of order (*āhkām*),—except the letters of the female apartments. These were to be signed first by the Khan-i-sāmān and then by the *Buyutāt.*

(14) Reply to the final presentation of accounts (*muhāsibāt*) concerning the recovery of State advances (*mutālibāt.*)

(15) Escheat of property. If the order is to restore [to the officer under audit], then send a copy of the order to the office [of the Diwan], so that his *tankhā* may be paid according to it.

(16) Things made to order (*farmāish*) of the Emperor in the provinces.

(17) Taking the income from the gardens and the rent from the shops and residential houses [belonging to the State.]

(18) Long sheets of letters from the *kārkhānahs.*

(19) The diaries and *āwārija* of the subahs as well as the *āwārija* of the imperial camp are to be sealed without change.

(20) Initial the petitions from the officers asking for advances and the granting of residences for alighting in, etc.

(21) Attestation of the attendance of the daroghas, amins, mushrifs and tahvildars of *kārkhānahs.* ....

(22) Appraising the different articles of *peshkash* (tribute and present) and *āmuāl* (escheated personal property of dead mansabdars).

(23) Attestation of the cash reward which appertains to the commanders of squadrons (*sāhib-i-risālah*)?

(24) Distribution of porters among the different *kārkhānahs.*

(25) Arrangements for the marriages of the princes.

(26) The *tumārs* (registers) of the cash realization of the amounts due on audit [*muhāsibāt*], should be sent by the auditors to the office of the Khan-i-sāmān, and copies of them should be given to the office of the Buyutāt.

(27) Plans* of lodgings and buildings [belonging to the State.]

[Z. 20*a*—21*b* ; D. 83*a*—84*a*.]

§ 7. Duties of the Buyutat.

Buyutāt is the double plural of the Arabic word *bait*, meaning 'house'. In Mughal India *Diwān-i-buyutāt*, popularly always shortened into *Buyutāt*, was the title of an officer who registered the property of deceased persons, in order to secure the payment of the dues of the State as well as to safeguard the property for the heirs of the deceased. In addition, he was in some respects an understudy of the Khan-i-sāmān, as the following list of his duties [Z. 21*b* ; D. 84*a*] will show :—

(1) To allot money to the various funds or cash balances out of the treasury of general expenditure and of the kārkhānahs.

(2) To escheat the property of deceased nobles in co-operation with the Khan-i-sāmān.

(3) To make provisions (*sarānjām*) for the kārkhānahs.

(4) [To fix] the prices of articles.

(5) Estimating the [necessary] treasury of the kārkhānahs. Send the estimate of the monthly expenditure to the Diwan's office.

(6) Daily accounts of the kārkhānahs accompanying the Emperor during his marches.

(7) Endorsement of receipts (*qabuz*).

(8) The Buyutāt should write the date on the descriptive rolls (*chihra*) of the menials.

(9) On the report of branding of cattle, he should write "Brought to the branding."

(10) [Rejection or sale of] old articles in karkhanahs according to the suggestions received from the different kārkhānahs.

(11) Fixing halting-days for the cattle.

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* Variant : "Expenditure on lodgings and buildings." [D.]

(12) Siāha of tankhā from the expenditure treasury. The advances to the menials barqandazes and cattle should be paid in the presence of the Buyutat himself.

(13) The slips [*chithi*] granting articles [*jins wa ājnās*] should be kept in the office of the Buyutat.

(14) The rooms of the kārkhānahs should be sealed with the Buyutāt's seal.

(15) Grants [to] petty officials for food store [*zakhira.*]

(16) Ascertainment of the prices of the things in the purchase and other departments and their cash, under the seal of the Buyutat.

(17) The requisitions of the kārkhānahs to be signed first by the Buyutāt and then by the Khan-i-sāmān.

(18) The *siāha* of the expenditure and the summary grant (*sārāsari tankhā*) for food of the cattle should go to the Buyutāt's office, and thereafter be signed by the Khan-i-sāmān.

CHAPTER IV.

Provincial Administration

§ 1. Official dislike of village life and indifference to village interests.

The administrative agency in the provinces of the Mughal Empire was an exact miniature of that of the Central Government. There were the governor (officially styled the *nāzim* and popularly the *subahdār*), the *diwān*, the *bakhshi*, the *qāzi*, the *sadr*, the *buyutāt*, and the censor ; but no *Khān-i-sāmān*. These provincial bakhshis were really officers attached to the contingents that accompanied the different subahdars rather than officers of the subahs as geographical units. The practical effect, however, was the same.

The administration was concentrated in the provincial capital. It was city-government, not in the Greek sense of the term, but rather as a government living and working in cities and mainly concerning itself with the inhabitants of the cities and their immediate neighbourhood. The Mughals—after due allowance has been made for their love of hunting and laying out pleasure gardens and their frequent marches,—were essentially an urban people in India, and so were their courtiers, officials, and generally speaking the upper and middle classes of the Muhammadan population here. The villages were neglected and despised, and village-life was dreaded by them as a punishment. No doubt, the villages were the places from which their food and income came; but that was their only connection with them. Life in a village was as intolerable to them as residence on 'the Getic and Sarmatian shores' away from 'the seat of empire and of the gods' was to a cultured poet of imperial Rome. This feeling comes out very clearly in a Persian couplet:

Zāgh dum su-i-shahar wa sar su-i-deh.
Dum-i-ān zāgh āz sar-i-u beh.[*]
The tail of a crow was turned towards the
city and its head towards the village;
Surely, the tail here was better than the head!
['better', *i.e.*, nobler or happier.]

The provincial Government kept touch with the villages by means of (1) the faujdars posted to the subdivisions, who almost always lived in the district towns, (2) the lower officials of the revenue department, who did the actual collection from the peasantry, (3) the visits of the zamindars to the subahdar's court, and (4) the tours of the subahdar. The contact, however, was not very intimate, and the villagers, as I have remarked in the first chapter, were left pretty much to their own devices, uninfluenced by and indifferent to the Government at the chief town of the province, so long as they paid the land-tax and did not disturb the peace.

§ 2. The Subahdar and his duties.

The term SUBAHDAR comes from the Arabic word *sub* meaning direction or point of the compass. In very early times the provinces into which every large kingdom was necessarily divided, were named in accordance with their bearing towards the capital,—such as the viceroyalty of the north, of the south, of the east, and of the west,—in whichever of these directions there was enough territory to compose a separate province. Similarly, the provincial governors of the Bahmani Empire were styled *tarf-dārs*, from the word *tarf* meaning direction.

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[*] Hamid-ud-din's *Āhkām-i-Ālamgiri*, § 28 of the text as edited and translated by me.

With the country covered by an immense number of small geographical units, each occupied by a different tribe, and the tribes often migrating from place to place, it was at first impossible to give any single historical or tribal name to a province, which was the aggregate of several such tribal settlements and socially unconnected districts. It was more convenient to designate the viceroyalties as the northern, the southern, etc. Hence, the origin of the terms *subahdār* and *tarfdār*.

The subahdar was officially called the *nāzim* or regulator of the province. His essential duties were to maintain order, to help the smooth and successful collection of revenue, and to execute the royal decrees and regulations sent to him.

When a newly-appointed subahdar went to the High Diwan to take his leave before setting out for his province, the Diwan was to deliver the following charge to him:—

"Experienced men have written concerning a subahdar's work that he ought to keep all classes of men pleased by his good behaviour, and see that the strong may not oppress the weak. He should keep all oppressors down, etc.

"A subahdar's recommendations about the mansabdars under him are naturally valued and given effect to by his sovereign, and therefore the subahdar should take care to recommend only worthy officials for promotion. He should punish rebellious zamindars and all lawless men, and every month send *two* despatches to Court by *dak chauki* reporting the occurrences of the province.

"He should never release robbers by taking anything from them, because this practice amounts to 'sowing the seed of oppression', as other rich men, knowing that they can secure impunity by giving bribes, will practise very great tyranny, so that it will, in the end, be very difficult for you to control them." [Manual, 13-14.]

A long string of good counsels (40 in number) as to what subahdars should do and what they should avoid doing, is given in Akbar's farmān [*Mirat*, i. 163—170, tr. in Bird's *History of Gujarat*, 389-400].

A new viceroy is instructed about his work thus [Manual, 27-32 ; Cf. *Ain*. ii. 37-40] :—

"When you are appointed, you should engage a good diwan,—a trustworthy and experienced man who has already done work in the service of some high grandee,—and a *munshi* (secretary) with similar ability and experience. You should secure a trustworthy mediator or friend (*wasilah*) at Court to report promptly to the Emperor and take his orders on any affair of the province on which you may write to His Majesty. To this mediator you will have to give presents, for such is the usage of our times. When people visit the tombs of dead saints, they offer flowers and sweetmeats for gaining their favour. How much more are presents necessary for gaining the favour of living men !!

"Learn from the well-informed men of the province how many of the zamindars require the display of force and the general character of the peasants, and get an estimate as to the number of *sehbandī* troops [*i.e.*, irregulars employed to assist in revenue collection, etc., somewhat like the armed police], necessary for doing the work of control and administration (*rabt* and *zabt*.) If you find your retainers (*tabinān*) and *sehbandi* insufficient and in other matters also require the Emperor's sanction and help, then make a petition and submit it through your mediator at Court. If the Emperor grants the force that you consider necessary for the efficient management of the subah, well and good. Otherwise, if you think that you can govern the subah at your own expense and recover your cost during your tenure of office [from your salary and allowances] after getting the province under control, then do it. If not, decline the post, for what can a single trooper do? (*i.e.*, you are only one man, if your master will not give you an adequate force.)

"When you start from the imperial capital to go to your province after your appointment, enlist one-fourth of the number of *tabinān* (armed followers) sanctioned for you by Government ; they should be good soldiers, men of good families and experienced in war. Half-way to your subah enlist one-fourth more, of the same class as before. Take with yourself able and experienced candidates for [civil] offices, telling them that their service would begin from the day of your arrival at the frontier of your province. Keep half of these [prospective officers] with yourself, and send the other half of the *tabinān* already enlisted and present with you, to the province to arrive there before you, telling them to assemble the well-informed local men and learn from them the character of every zamindar and *jamādār* of the place, and report to you their mutual relations and their conduct towards former subahdars as regards the payment of revenue, and how much a particular zamindar used to pay over and above the revenue. When you are still a quarter of the way from your province, send off expert troopers with your *parwānahs* calling upon the zamindars to wait on you at an appointed place immediately after your arrival.*

"When you reach the frontier of your subah, enlist the candidates for office from that date, and treat them well, because their first impressions will determine their future opinion of you as a master.

"Chastise the refractory zamindars and the leaders of lawless men, so that others of the same class may take warning from it and pay revenue [without trouble.]

"Then enter the fort.† Dismiss the troops that you find unnecessary after making a survey of the situation. [Remember that] it is difficult to pay the arrears of the salaries of subordinates. Tell the diwan to spend according to the income of the province.

"Encourage the ryots to extend the cultivation and carry on agriculture with all their heart. Do not screw everything out of them. Remember that the ryots are permanent (*i.e.*, the only permanent source of income to the State.) Conciliate the zamindars with presents; it is cheaper to keep them in hand thus than to repress them with troops!

"Do not lay your hands on the villages of the Crownland (*khālsa mahals*), as in that case you will provoke a quarrel with the diwan of khalsa, who will complain to the Emperor and you will be called upon to explain your conduct.

"Cherish the Shaikhs and qāzis. As for the *darvishes* who do not go to any one's house [to beg alms], inquire how they are faring, and support them with cash and kind. Give alms to *faqirs* and [ordinary] beggars. See that the strong may not oppress the weak."

Another of his duties was to collect the tribute due from vassal princes close to his jurisdiction and to arrange for its safe convoy to the imperial Court. (*Studies in Aur. Reign*, xiv § 13.)

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* E.g., the practice of the subahdar of Orissa, as described in his letters, in my *Studies in Aur. Reign*, xiv. § 9-12.

† The fort in the chief town of the province was the subahdar's official residence and court. He entered it for the first time with much ceremony, on an auspicious day and hour chosen by his astrologers, for which the newly-arrived subahdar had often to wait for weeks in a garden outside the city!

§ 3. Duties of the provincial diwan.

The provincial DIWAN* was the second officer in the locality and, as I have pointed out in the first chapter, he was the rival of the subahdar. The two had to keep a strict and jealous watch on each other, thus continuing the earliest administrative policy and traditions of the Arabs when they went forth after the Prophet's death, conquering the world and establishing their new government in the annexed lands.

The provincial diwan was selected by the imperial Diwan and acted directly under his orders and in constant correspondence with him. At the time of giving leave to a new diwan, the High Diwan was to urge him to increase the cultivation and to select honest men only for the post of *āmin*. He was to report to the High Diwan twice every month the occurrences of the subah with a statement of the cash balance with him. The diwan was specially urged to appoint as collectors (*kroris* and *tahsildārs*) practical men who were likely to induce the ryots to pay the Government dues of their own accord, without the necessity of resorting to harshness or chastisement. [Manual, 13-14.]

The *sanad* or letter of appointment of a provincial diwan charges him with his duties in the following words:—

"Cause the extension of cultivation and habitation in the villages. Watch over the imperial treasury, that nobody may draw any money without due warrant. When due money is paid into the treasury from the chests of the fotahdars and other sources, give receipts (*qabz-ul-wasul*) to their agents. See that no official (*āmil*) exacts any forbidden cess (*ābwāb*.)

"At the end of every agricultural season ascertain from the original rough papers [*i.e.*, first notes] the extortions and peculations of the *āmils*, and recover for the imperial treasury whatever may be due from them on this account. Report bad or dishonest *āmils* to Government [*i.e.*, to the High Diwan] so that better men may be appointed to replace them.

"If any *āmil* has let arrears [of revenue] accumulate for many years, you should collect the due amount from the villages in question by easy instalments at the rate of 5 per cent every season.

"The *taqāvi* loan given last year by Government should be realized in the first season of the present year. If they fail to pay, or delay payment, Government will compel the diwan and the amin to make the amount good.

"Send the papers of your department to the imperial record office according to the regulations."*

§ 4. The faujdar and his functions.

In the maintenance of peace and the discharge of executive functions in general, the subahdar's assistants were the FAUJDARS. These officers were placed in charge of suitable subdivisions of the province, provided that they were sufficiently civilized or important on account of the presence of zamindars or large sources of State revenue in them and also if they contained towns.

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* The provincial diwan was appointed under a *hasb-ul-hukm* of the Emperor (written by the wazir) and a *sanad* bearing the seal of the wazir. [*Mirat*, Sup. 173.]

* Some of these regulations are given in Aurangzib's farman to Rasik-das, see ch. XI.

When a new faujdar was appointed, he was given the following advice as to his policy and conduct :—

"A faujdar should be brave and polite in dealing with his soldiers. He should enlist in his contingent of armed retainers only men of known bravery and good family.

"As soon as you reach the place of your service, find out the people who knew the past administration of the locality, viz., the *qānungoes* and others, win their hearts, and learn from them which of the troops quartered in your subdivision are inclined to take advantage of their commander's weakness or the difficulties of the administration and which of them are in secret league with the lawless zamindars.

"Learn whether the local zamindars paid the revenue regularly or displayed a defiant spirit in your predecessor's time. In the case of zamindars who are not naturally disposed to be submissive, first treat them well ; and if they do not respond by offering obedience, then chastise them. When your own troops are insufficient to crush such a refractory zamindar, set his enemies up against him, make a grant of this zamindar's lands to his rival, and send your own troops to co-operate with those of the rival in order to crush the rebel more easily.

"Arrange with a trusty clerk of the imperial Court to receive letters from you, and, on the basis

of the information thus supplied, to report on your affairs to the Court [evidently to the High Diwan.]

"Conciliate the local *waqāi-navis, sawānih-nigār* and *harkārah* (i.e., the official news-reporters and spies), in order that they may always write their reports of occurrences in a manner leading to your advancement.

"Keep up your practice in the exercise of all weapons of war, in hunting, and in riding horses, so as to keep yourself in a fit condition and to be able to take the field promptly [when called upon to march to a scene of disturbance.] Do justice to the oppressed." [Manual, 34-36.]

The faujdar's duties are fully enumerated in the following sanad or letter-patent appointing him to his office :—

"Destroy the forts of lawless men and rebel chiefs as the [best] means of punishing them. Guard the roads, protect the revenue-payers. Assist and give [armed] support to the agents (*gumāshtahs*) of the jāgirdārs [in the case of military fiefs] and the *kroris* [in the case of Crownlands], at the time of collecting the revenue.

"Forbid the blacksmiths to manufacture matchlocks. Urge the *thānahdārs* [men in command of the outposts or smaller areas within a faujdari], whom you appoint under yourself, to take complete possession of their charges, to abstain from dispossessing people from their rightful property and from levying any forbidden cess (*abwab*).

"So long as the agent of the jagirdar or the *āmil* of the Crownlands does not give you a written requisition for military aid, do not attack any village in your jurisdiction. After you have received such a requisition [or rather complaint against a defaulting and refractory village], contrive to influence some of the leading men of the village who are the sources of the trouble and try to reform them, so that they may repent of their violence and lawless conduct and incline to the payment of revenue and the peaceful pursuit of agriculture. In case they reform themselves, take a deed of agreement [to such a course] from the amil. If they refuse to reform, then chastise the evil men of the village [*i.e.*, the ringleaders], but do not molest the [ordinary] peasants. Guard the roads, cut the jungles, demolish the [illegal] forts, etc."

In short, the faujdar, as his name means, was only the commander of a military force stationed in the country to put down smaller rebellions, disperse or arrest robber-gangs, take cognizance of all violent crimes, and make demonstrations of force to overawe opposition to the revenue authorities or the criminal judge or the censor. [His functions are briefly described in *Ain,* ii. 40—41 and *Storia,* ii. 450—451.]

§ 5. The kotwal and his duties.

In connection with the public peace, we may most conveniently discuss the kotwāl and his functions here. He was essentially an urban officer, being the chief of the city police.

The ideal KOTWĀL is described as a man who follows the regulations in his outward actions and fears God inwardly. He should attend when the sovereign or provincial viceroy holds a court of justice or grants public audience. On taking over charge, he should satisfy himself by a personal inspection that the horse and foot attached to his post are really up to the fixed strength and have their proper equipment, arms and stores, and that the appurtenances of his office,—such as long rods, fetters and lashes*,—are really of the number entered in the official list. He should check the number of the persons in the prison and ascertain [their] answers to the charges against them. Then he should report to his official superior the cases of those prisoners whom he considers innocent and secure their liberation. In the case of the guilty persons who can pay, he should take orders for exacting suitable fines from them and then releasing them. In the case of penniless prisoners, the *kotwāl* should report and take action as commanded. A statement of the cases of those deserving to be kept in prison should be sent to the officers of Canon Law, and the orders passed by the latter over their signatures should be carried out by the kotwal. In the case of those deserving death, the kotwal should, through proper officers, freely state their cases to the judge (in writing) on the day of trial, receive the qāzi's signed sentence of death, and execute the sentence.

Summoning the watchmen and sweepers, he should take bonds from them that they would daily report to him the occurrences of every *mahalla* (ward of the city) without suppression or exaggeration.

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* Text reads *jaulānah* for *zulah*.

He should enlist a footman (*piāda*) singly from each ward and post him there as a spy to report all news, so that he may compare the reports from these two sources and thus know the truth and do the needful in the case.

"Do justice that the people may liken you to a qazi in the power of arriving at the truth of a case. On the public streets of the cities, post careful men to act as watchmen from sunset to 9 P.M. and from 9 P.M. to dawn, to scrutinize the way-farers and arrest those whom they consider to be thieves and evil-doers, and bring them to you.

"At places of sale and purchase, at places of entertainment (*shādi*) where spectators assemble, keep watchmen to seize the pickpockets and the snatchers-up of things and bring them to you for punishment.

"Summoning the 'professional women,' dancing-girls, liquor-sellers and vendors of intoxicants, take bonds from them that if they do any forbidden act they would pay so much as fine. Fine them if they break the bond. At midnight take horse with your followers and patrol round the city and in the streets also. In the lanes where you had previously sent your spies and they have found dens of thieves, you should go in time and nip their mischievous designs in the bud.

"Watch and guard the prisoners very carefully lest any of them should escape." (Manual, 67—71.)

The kotwal's functions are also minutely enumerated in the *Ain-i-Akbari* (ii. 41—43.) But most of Akbar's regulations which this officer is there directed to enforce were withdrawn after the Emperor's death ; and the entire passage in the *Ain* also seems to me to point out only the ideal for a kotwāl and not to represent the actual state of things. Only a perfect man can satisfy what is demanded of the kotwal here. I, therefore, do not attach any value to this source.

Akbar's farman, as given in *Mirāt-i-Ahmadi,* i. 168—170, contains the following instructions for the kotwāl :—"The kotwāl...with the help of clerks should make a list of the houses and buildings of the place, and enter under each house [the names of] its inhabitants, stating what sort of men they are, how many of them are *bāzāris,* how many are artisans, how many are soldiers, how many darvishes. Taking security from every house, he should ensure their mutual co-operation, and defining the *mahallas* (wards), he should appoint a headman for each *mahalla,* by whose advice all things should be done there. Spies should come every day and night and cause to be written down [in the kotwāl's office] the occurrences of each ward...When a guest arrives, —be he a kinsman or a stranger,—it should be reported to the headman of the ward...The kotwāl should always keep himself informed about the income and expenditure of every man, because when a man spends in excess of his income it is certain that he is doing something wrong...In the markets he should fix the prices of things and prevent rich men from [creating a monopoly by] buying much and selling little. The kotwāl should stop the sale and drinking of wine in his jurisdiction."

Manucci (ii. 420—421) gives a more valuable account of the kotwāl's work from actual observation. "It is his business to stop the distillation of spirits. He has to see that there were no public women in the town, nor anything else forbidden by the king [Aurangzib.] He obtains information about all that goes in, so as to be able to send in his report [to the ruler.] For this purpose there are throughout the Mughal Empire certain persons known as *halāl-khor* (*i.e.*, house scavengers.) These men are under obligation to go twice a day to clean out every house, and they tell the kotwāl all that goes on.........He also has the duty of arresting thieves and criminals. He is subordinate to the qazi, and receives orders from him...Under his orders there is a considerable body of cavalry and a great number of foot-soldiers ; for in every ward there is a horseman and 20 to 30 foot-soldiers, who, in a sort of way, go the rounds."

In a *sanad* of appointment the kotwāl is urged to see that there may be no theft in his city and that the people of the place may enjoy security and ply their trade peacefully. He is to carry out the qazi's written orders and not to act at his own discretion in keeping men accused of peculation in prison or in releasing them. If there is a ferry at the city, he should take care not to collect any toll on the ferries (as they were abolished by the Emperor), to prevent the boatmen from charging more than the proper hire, and to stop lawless men and oppressors from crossing the ferries.

There was a platform (*chabutra*) in front of the kotwal's office and bordering the public road, where malefactors or their severed heads were often exhibited.

§ 6. News-reporters.

The agency by which the Central Government learnt the news of the country consisted of (1) the *waqāi-navis*, (2) the *sawānih-nigār*, (3) the *khufia-navis*,—all three of whom sent written reports,—and (4) the *harkārah*, literally meaning a courier of news, but really a spy, who generally brought oral news, and at times also sent news-letters.

The terms *waqāi-navis* (sometimes written as *waqāi-nigār* also) and *sawānih-nigār* mean the same thing, *viz.*, a writer or surveyor of occurrences. There was a difference between them in this that the *waqai-navis* was the more regular and public reporter of the two, while the *sawānih-nigār* was of the nature of a secret reporter on important cases only. There was a *waqāi-navis* attached to every field-army, province and large town, and a *sawānih-nigār* at special places and times only. The latter was intended to be a spy and check on the former ! The *Mirāt-i-Ahmadi* (Sup. 175) makes the point quite clear :—"In former reigns *waqāi-navises* were employed [to report provincial occurrences]; but owing to the suspicion of their entering into collusion [with the local officers], *sawānih-nigārs*,—who are also called *khufia-navises*,—were appointed to reside secretly in the subahs and report news. At last when the latter was entrusted with the duty of supervising the postal arrangements within the province, the matter became public." I believe that it was then that a third or most secret class of reporters, *i.e.*, *harkārahs* or true *khufia-navises*, were posted to the provinces. Manucci [ii. 331] implies the same thing.

According to a contemporary history of Jahangir, the *Bahāristān-i-Ghaibi* (Paris MS., 101*a*), the practice of appointing public newswriters to each province and reading their reports openly in the Emperor's Court was introduced by that monarch, to make a display of his greatness before the expected Persian ambassador. Secret news-reporters in the provinces were an important element of the Abbasid administration. [*Camb. Med. Hist.*, iv. 283.]

The public intelligencer of a province (*i.e.*, the *waqāi-navis*) appointed agents in most of the small parganahs to report to him the occurrences of these places, out of which he selected what was fit for the Emperor's ears and incorporated it in the provincial news-letter. In the offices of the subahdar, the diwan, the faujdar of the environs of the provincial capital, the court of justice, the kotwal's *chabutra*, he stationed his clerks, who brought to him every evening a record of what had occurred there during the day. In many of the important parganahs, separate reporters were posted directly from the imperial Court, to send to the provincial diwan *siāha* (ledgers of receipts) of the escheated jagirs of mansabdars who were dead, absconding or absent. [*Mirāt*, Sup. 174-175.]

The *waqāi-navis* attended when the provincial viceroy held public court, and he recorded the occurrences then and there. The contents of the news-letter drafted by this reporter were communicated to the subahdar or, in the case of a field-army, to the general in command, before being despatched to the Emperor. The *sawānih-nigār* did not do so.

In the Manual, the *waqāi-navis* is charged to send his reports of occurrences once every week, and the *sawānih-nigār* eight times in a month. The language implies that the latter officer reported on the whole subah, while the former reported about a particular locality only.

In the case of many of the provinces and all the minor armies, the posts of *bakhshi* and *waqāi-navis* were combined in the same person.

The *khufia-navis* or 'secret writer', was a most confidential agent. He reported secretly on events without any communication with the local authorities, who often did not even know his name. All people were in mortal dread of these secret intelligencers, and their office is, I understand, still maintained in some of our feudatory States.* [*Alamgir-nāmah*, 1081.]

"The harkarahs posted in a province have to report the news of all sides and occurrences to the governor of the subah, and to send letters closed in envelopes for being despatched to the imperial Court with the provincial post. The harkarah also keeps his agents in the offices of the nazim and in other places, just like the waqai-nigar and sawanih-navis, and all these three men are called alike *ākhbār-navis*." [*Mirāt*, O.P.L. MS. 691*b* ; Sup. 175 differs.]

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* The secret intelligencer is now called *pārcha-wālā*, which title must not be confounded with the *pārcha-navis* described in Manual p. 55.

The news-letters were sent to an officer of the Court named the *Dārogha* of *Dāk Chauki*, i.e., Superintendent of Posts and Intelligence, who handed them unopened to the wazir for submission to the Emperor. These four classes of public intelligencers acted under the orders of this *Dārogha* who was their official superior and protector. Sometimes an irate governor would publicly insult or beat the local news-writer for a report against himself, and then the Dārogha would take up the cause of his subordinate and get the offending governor punished. The head of the Intelligence Department enjoyed great influence and trust in the reign of Aurangzib, who used to regard the spies as his eyes and ears. Amusing examples of it are given in Hamid-ud-din's *Āhkām-i-Alamgiri*, translated into English by me as *Anecdotes of Aurangzib*, § § 61, 62, 64 and 65.

A newly-appointed *waqai-navis* is given the following shrewd advice in the Manual, pages 51-55 :—

"Report the truth, lest the Emperor should learn the facts from another source and punish you ! Your work is delicate ; both sides have to be served. Deep sagacity and consideration should be employed so that 'both the Shaikh and the Book may remain in their proper places !' In the wards of most of the high officers, forbidden things are done. If you report them truly, the officers will be disgraced. If you do not, you yourself will be undone. Therefore, you should tell the lord of the ward, 'In your ward forbidden things are taking place ; stop them.' If he gives a rude reply, you should threaten the kotwal of the ward by pointing out the misdeed. The lord of the ward will then know of it. Although the evil has not yet been removed from the ward, yet, if any one reports the matter to the Emperor, you can easily defend yourself by saying that you have informed the master of the ward and instructed the kotwal.

"In every matter write the truth ; but avoid offending the nobles. Write after carefully verifying your statements.

"*Waqāi* should be sent once a week, *sawānih* twice, and the *ākhbār* of harkarahs once [? a month] and the despatches in cylinders (*nalo*) from the *nāzim* and the *diwān* twice every month, in addition to urgent matters (which are to be reported immediately.)" But the practice in Gujrat early in the 18th century was to send all these papers to the Emperor along with the despatches of the provincial governor and diwan and a statement of the cash balance of the Treasury, once a week. [*Mirat*, ii. Sup 175.]

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CHAPTER V

Taxation

§ 1. Chronic antagonism of the Indian peasant to the revenue collector.

A careful student of Indian history is very much struck by the chronic antagonism between the rent-payer and the rent-receiver from very ancient times. European travellers in India have noticed how the ryot was averse to paying even his legitimate rent and that force had to be employed to get from him the dues of the State [*Storia do Mogor,* ii. 450.] On the other hand, in Sanskrit literature as well as Persian Court-annals we read how the "king's men"—*i.e.* revenue officials and underlings,—preyed on the peasantry, and in both ages the sovereign was called upon to save the ryots from such blood-suckers.

The Indian peasant's habitual reluctance to pay revenue was partly due to the fact that he derived little benefit from the Government in return for the revenue paid ; but it was mainly because of the uncertainty of that Government. I have explained already how the State in Mughal India performed no socialistic duties, but simply undertook to defend the country from invaders and rebels. Even this work of national defence was badly done at times, while the policing of the villages against thieves and robbers was done by a village agency which was not remunerated out of the State revenue, but from the villagers' own contribution. Thus, the ryot received

nothing visible in return for which Government might fairly demand from him a share of the fruits of his labour.

Secondly, changes of dynasty were so frequent, wars of succession within the same dynasty so much the rule rather than the exception, and the invasion of neighbouring countries (in Sanskrit *digvijay,* in Persian *mulk-giri,*) was so universally regarded as a duty by Hindu Rajahs and Muslim Sultans alike, that the peasant in India seldom knew for certain to whom to pay the revenue, even when he was willing to pay it. He naturally wanted to avoid having to pay the same money twice over. It was (he felt) wiser to wait for some months or years, even at the risk of some beating in the meantime, and see which side became firmly planted on the throne and then pay the revenue to it. But the arrears of revenue which thus accumulated could never be paid in full after such long delays, because much of the peasant's stock was eaten up by him and much of it plundered during the unsettled state of the country.

Many centuries of political insecurity and revolution have left in the mind of the Indian peasant even of the 20th century, a subconscious but ingrained belief that wars of succession are quite in the nature of things and that whenever the Government is engaged in a war anywhere, a wise peasant ought to think twice before paying the revenue due.

During the late war with Germany, several khas-mahal ryots in Chittagong hesitated to pay their land-tax and told the Deputy Collector, "If the *Kohisur* (*i.e., Kaiser*) comes will he not ask for our revenue over again? Save us, Sir, from the double payment."

I was in a North Bengal village at the time of the death of King Edward VII. The first question which the local ryots asked me on hearing of His present Majesty's succession was, "Are not his kinsmen disputing his accession to the throne?" We can easily imagine the long ages of disorder and oppression that lie behind this traditional belief among our villagers.

§ 2. The peasant ever in arrears of payment.

Hence, the collection of the revenue was always the result of a struggle between the *ryot* and the *sarkār,* and the arrears were seldom, if ever, cleared. The next logical step in this vicious circle was for the Government collectors to exact from the ryot, under the name of the never-to-be-extinguished arrears, everything except his bare subsistence. In most parts of Mughal India the ryot was, therefore, in the same condition as the French peasantry in the reign of Louis XV, trying to escape the unjust *taille,* or the cottier tenants of Ireland perpetually in debt to their landlords.

There was this difference, however, that in pre-British times there was no eviction for default, no starvation of the peasantry (except when there was a local famine, with no communication with the more fruitful parts of the country). In the early and mediæval times, the peasant was left in his holding and left with enough to feed him (except when the entire harvest failed). The old custom of payment

by the division of the crop* (the *batāi* system) was an advantage to him, as the payment depended on the actual harvest of the year, unlike the modern money rent which is an amount fixed irrespective of the yield in different years. In those days of constant war and disorder, the peasant was also cherished and valued because his landlord had need of him as an armed retainer. Indeed, competition for tenants among the zamindars was the rule and the poorer peasants sometimes escaped from one zamindari to another in the hope of getting rid of their arrears with the former and of faring better under a new landlord. Cases of such fugitive ryots were very frequent in North Bengal only sixty years ago.

§ 3. Illegal imposts on peasants condemned by the Government Head.

The natural tendency of the ryot to withhold or refuse the payment of revenue and the failure of the State to give him a clean slate every three or five years by writing off his arrears, were the chief causes of trouble in the Mughal revenue department. The evil was aggravated by the greed of the revenue underlings and of some of the Emperors even. When I discuss the list of *ābwābs* or unauthorized exactions from the people in Mughal times, the reader will perceive the wonderful fertility of the human brain in devising means for squeezing money out of the people,—at birth, throughout life, and even after death. Several of these *ābwābs* were not directly paid by the peasant ; several of them affected the smaller dealers and townspeople too. But as our population is predominantly agricultural and most of the articles for sale came from the land, the weight of the *ābwābs* pressed most heavily on the ryots.

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* *Cf.* Abu Yusuf, 76:—"I have not found anything more fruitful for the Treasury and less inconvenient for the people subject to the land-revenue, [more] effective in protecting them from the abuses to which they render themselves liable by passing the burden from one to another among themselves, and more suitable for saving them from ill-treatment by the administrators and collectors,—than a just and light payment in kind (*muqāsama,* division of crops): the prince finds in it his satisfaction, the tax-payers a benefit and a guarantee against mutual injustice consisting in shoving off the tax from one to another."

It is only fair to add that in respect of the *ābwābs,* there was a clear conflict of policy between the Emperors on the one hand and the revenue collectors on the other. The Emperors are for ever issuing orders to their officers to show leniency and consideration to the peasants in collecting the revenue, to give up all *ābwābs,* and to relieve local distress ; and the revenue officers are as often squeezing everything out of the peasants except the barest subsistence. A solemn proclamation is issued by one Emperor abolishing all *ābwābs* and urging all his officials, "at present and in future" to obey these instructions. But these very *ābwābs* crop up again and have to be abolished by his successor with another proclamation, which has exactly the same efficacy as the first. This was the experience of other Islamic countries, such as Egypt, also. (See *Encyclo. Islam,* iii. 176-177, under *Maks.*)

The policy of the supreme head of the Mughal Government not to practise any exaction on the ryot is manifest from the contemporary histories and letters, and can be proved to have been a reality and not merely a pious wish. Several instances are recorded in the reigns of Shah Jahan and Aurangzib in which harsh and exacting revenue collectors and even provincial viceroys were dismissed when the complaints of their subjects reached the Emperor's ears. A characteristic anecdote to the same effect is told in India Office Library Persian Manuscript No. 370, interleaf facing folio 68. It clearly illustrates Shah Jahan's eagerness to do justice and even liberality to the peasantry, and I shall narrate it here.

"One day," so runs the story, "Shah Jahan was looking through the revenue returns of his empire and discovered that in a certain village the revenue for the current year was entered as higher by a few thousands [*dām*?] than that of past years. Immediately he ordered the High Diwan Sadullah Khan to be brought to the Presence for explaining the difference. Sadullah Khan was then sitting down in his treasury with an open bundle of revenue papers before him and his eyes dozing in consequence of his daily and nightly attention to the business of his department. The royal messengers brought him to the Emperor in exactly the same condition [and dress] that he was in. Shah Jahan asked him for the cause of the increase in the assessment. After a local inquiry it was found out that the river had receded a little and a new tract of land had risen above water-level, causing an addition to the area of the village and the income of the State. On the Emperor asking whether the land in question was *khālsa* or *āima*, a further inquiry was made and it was found to adjoin a piece of rent-free grant of land (*aima.*) Then Shah Jahan cried out in wrath, 'The water over that tract of land has dried in response to the lamentations of the orphans, widows and poor [of the place]; it is a divine gift to them, and you have dared to appropriate it to the State! If a desire to spare God's creation had not restrained me, I should have ordered the execution of that second Satan, the oppressive faujdar [who has collected revenue from this new land.] It will be enough punishment to dismiss him as a warning to others to refrain from such wicked acts of injustice. Order the excess collection to be immediately refunded to the peasants entitled to it.' "

This anecdote may not have been true, but it is *ben trovato*, it shows the atmosphere and the public belief in Shah Jahan's kindness to his subjects.

§ 4. Lower revenue officials were harsh and extortionate.

The lower officials of Mughal India were incurably corrupt, while the highest were, on the whole, just and statesmanlike except an occasional diwan who inflated the revenue demand *on paper* and farmed the collection to the highest bidder with

ruinous consequences, as can be illustrated from the revenue history of Orissa in the 17th century.

The subahdar of Orissa wrote in 1662: "The mahals of Crownland have been reduced to desolation and their affairs have fallen into confusion in consequence of the harsh assessment of an unreasonable amount of revenue and the neglect of details by the [new] diwan, Muhammad Hāshim. He transacts business in this way: when a candidate for *krori*-ship accepts the post, Hāshim imposes on him the paper assessment of the parganah and sends him there, before he can learn about the [*actual*] yield of the place. After a short time, another man is secured for the post, and Hāshim Khan taking money for himself from this man, dismisses the former *krori*, appoints the second man and makes him promise a larger revenue than the first collector had engaged for. After a little time, a third man appears, offering a still higher sum to the State, and he is sent as collector to the parganah! ...The Khan has thus increased the revenue [on paper] twofold in some places and threefold in others, while the ryots, unable to pay, have fled away and the villages have turned into a wilderness." [*Studies in Aur. Reign*, xiv. § 15.]

The man was shortly afterwards removed from his office.

The Emperor, the High Diwan, and even the subahdar may have been just and kind in their treatment of the peasantry. But the lower official or revenue underling was the man on the spot, the person in direct relation with the ryots and therefore *his* harshness and greed affected the ryots far more effectively than the far-off Emperor's or Chancellor's kind intentions and benevolent proclamations. This fact was well-known in the 17th century.

The great and good High Diwan, Sadullah Khan, used to remark that a diwan who did not do justice to the ryots was a demon sitting with a pen and inkpot before him. The propriety of this epigram will become clear when it is remembered that in the Persian alphabet *a* is a long vertical line with a sharp downward point like an Indian reed-pen, while the letter *n* is formed by a circle open at the top, just like an indigenous inkpot. The word *diw* means 'an evil spirit'; and hence *diwan* can be analysed into *diw* followed by *a* or a pen and *n* or an inkpot! (*Ruqaāt-i-Alamgiri,* letter No. 154.)

In fact, the cunning of the local officials and the subordinates of the revenue department was too much even for the lord of the Peacock Throne, and we find more than 50 *abwabs* flourishing immediately after the death of this very Shah Jahan.

§ 5. Why revenue officials exacted perquisites.

The exaction of perquisites and presents by the officials from the subahdar downwards was one of the greatest evils of mediæval administrations, in the East and the West alike. In the Mughal empire the evil was aggravated by three other causes, *viz.,* (1) the custom of offering presents to the Emperor and the princes by the higher officers and to the higher officers by the lower, (2) the nominal salaries paid to the lower officers, and (3) the submissive, indifferent spirit of the people.

Immemorial custom and the prevalent notions of social etiquette, as well as the more worldly motive of keeping one's superiors in good humour, made it imperative for the subahdars to offer rare or valuable presents to the Emperor on his birthday, and also at their visits to the Court. The High Chancellor also had to be propitiated by similar means.

This pressure passed from the top to the bottom, though it was unintentional and its real effects were not fully realized by the head of the State. The Emperors, without meaning it, squeezed the subahdars and the subahdars did so to the zamindars; the provincial diwan had to gratify the High Diwan and therefore he had to squeeze the subordinate collectors of the revenue; and these men at the bottom of the official ladder squeezed the ryots.

This was quite distinct from giving bribes to cause a failure of justice or to win a favour that was undeserved by the man or injurious to the real interests of the State. Taking bribes was recognized as a wicked and disgraceful thing even in Mughal times, though it was extensively practised under the veil of secrecy.

The low salaries paid by the Government had necessarily to be supplemented by the clerks and other subordinates exacting unauthorized fees from the men who had to do business with them. It was called "the writer's fee" *haqq-ul-taharir* (or *tahariri* as used in the law courts and some other offices here even now). In the Manual (page 74) the auditor (*mushrif*) is advised, "Take the writer's fee that the people pay you willingly, for how else can a man deserving Rs. 50 but paid a salary of Rs. 20 a month contrive to live?"

§ 6. The krori or collector of revenue of a district.

The actual revenue collector was the *krori,* so styled because he was placed in charge of a tract theoretically expected to yield a revenue of one *kror* of *dām,* i.e., 2½ lakhs of Rupees. The arrangement was Akbar's (*Ain,* i. 13.) But the title of *krori* was continued in later times irrespective of the amount of revenue to be collected by this officer. It latterly meant simply 'a collector of State dues', and we have a class of *kroris of ganj, i.e.,* collectors of markets.

"The *krori* ought to entertain a body of militia (*sehbandi*) proportionate to his jurisdiction and collect the revenue without negligence and at the right time. He should not demand *mahsul* (the State due in cash or kind) from places not yet capable of paying, lest their ryots should run away. He should urge his subordinates not to realize anything in excess of the regulations, lest he should, in the end, be subjected to *wāsilāt* (examination of accounts with a view to detecting peculation.) He should be honest." (Manual, p. 66.)

The duties and necessary virtues of an ideal "collector of the revenue" under Akbar are described in the *Ain,* ii. 43—47 ; but he seems to have been a higher officer than a *krori* of the 17th century.

The *sanad* appointing a new *krori* runs thus: "Collect the revenue season by season as assessed by the *āmin,* and pay it to the *fotahdār.* With the advice of the faujdar and amin, carefully deposit the [accumulated] money in the imperial treasury, giving a receipt for it to the fotahdar. Send to the Government Record Office your abstract accounts and statements of income and disbursement and other papers, as laid down in the regulations. Do not collect any *ābwāb,* such as *nahib* (? fee for expediting business), the collector's perquisite (*tahsildāri*), etc., lest the money should be taken back from the offender and he be dismissed".

§ 7. The amin and the qanungo.

ĀMIN literally means an umpire or arbitrator, a trustee for others. The essence of his office was to be an impartial umpire between the State demanding revenue and the individual ryots paying it.

The *Manual of the Duties of Officers* (63—65) gives us the following information about the *āmin* and his work:—

"The āmin should know the regulations (*zābita*) well, and be an honest and expert man, well-versed in the quality (good or bad) of every affair. He should make the assessment (*mushakhkhas*) according to the rules and let none steal Government money.

"The āmin's work is to cause the kingdom to be cultivated. Before the commencement of the season of cultivation, he should take from the *qānungoes* the preceding ten years' papers of the revenue assessment and area of the villages, ride to the villages in company with the kroris, chaudhuris, qānungoes and zamindars, inquire into the condition of the villages, as regards their [culturable] area and the actual number of ploughs, compare the area given in the papers of the qanungo with the real area, and if the two do not agree call upon the qanungo to explain the excess (in the case of excess), and censure the headmen (in the case of shortage), saying 'Why did the qanungo give a false return and why did the headmen tell lies?

"Then inquire whether the existing ploughs are sufficient for the cultivators of the village. If not, then grant *taqāvi* (agricultural loans), proportioned to the area of the culturable soil of the village, for the purchase of oxen and seeds, taking bonds* from the headmen for the recovery of the loan with the first instalment of the [next] year's revenue, and indemnity-bonds (*muchilka*) from the kroris that they would realize the loan with the first instalment of the [next] year."

The sanad appointing an *āmin* runs thus: "Do your work with honesty and truthfulness. Exert yourself to perpetuate the cultivation and increase the habitation. You will be held responsible for the portion of the collected revenue deposited with the *fotahdar* which he keeps in his hands in arrear (*i.e.*, without paying it into the treasury). Urge the krori to collect the revenue according to his own assessment and deposit it with the fotahdar. Give temporary receipts (*chithā*) for the money that the ryots pay to

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* These bonds (*tamassuk*) were to be endorsed by the chaudhuri as security, sealed by the qazi, and attested by the qanungo and zamindar.

the fotahdar, under your seal and the fotahdar's signature, and at the time of payment of revenue in full (*bebāqi*) make up the account according to this *chithā*. Do not collect any *ābwāb* like *bālā dasti* and *tahsildāri*, as all these have been forbidden by the Emperor. Warn the chaudhuris and qānungoes not to exact any such cess."

The papers which the *āmin* and the *krori* had to submit to the Diwan's office are enumerated in Z. 34*a* and D. 89*a*, those that they had to keep, in Z. 6*a* and *b*.

The QĀNUNGO, as the name implies, was a walking dictionary of the prevailing rules and practices (*qānun*), and a store-house of information as to procedure, precedents, land history of the past, etc. The *Ain* (ii. 66) styles him "the refuge of the husbandman." [See also *Ain*, ii. 47*n*.]

They were 'village revenue-officers who recorded all circumstances within their sphere which concerned landed property and the realisation of the revenue, keeping registers of the value, tenure, extent, and transfers of lands, assisting in the measurement and survey of the lands, reporting deaths and successions of revenue-payers, and explaining, when required, local practices and public regulations; they were paid by rent-free lands and various allowances and perquisites." (Wilson, 260.)

The Manual (148-149) instructs a new *qānungo* thus: "The Emperor's business goes on in reliance on your papers. To your office belong the papers of division (*taqsim*) comparison (*muāzana*) etc......... Keep two copies of the records,—one in your house and the other in your office (in charge of your gumashtah) so that one at least may be saved in case of fire or flood."

§ 8. Abwabs or illegal cesses.

I shall now discuss in detail the *ābwābs* or exactions made on various pretexts in addition to the regular land-revenue or custom duty. These imposts were again and again declared by the Muhammadan sovereigns to be illegal and forbidden within their realms, but they soon reappeared with some changes in their items. Thomas in his *Revenue Resources of the Mughal Empire* has given from Persian sources lists of the *ābwābs* abolished by Firuz Shah Tughlaq (1375 A.D.) and Akbar (about 1590). Those prohibited by Aurangzib in a *farmān* dated 29th April 1673, are enumerated in *Mirāt-i-Ahmadi*, i. 286—288 (with explanations on pp. 260-264), Z. f. 135, and D. f. 102. But these three sources do not agree in all points; *Mirāt* names forty-one, Z. seventyfour, and D. seventy-eight *ābwābs* as abolished at this time. In Bengal nineteen such imposts continued to be levied, but from the tenants only, till the 19th century, when the British law-courts finally put an end to them as illegal. (Rampini's *Bengal Tenancy Act*, 4th ed., pages 255-256.) We are thus in a position to make a comparative study of the growth of *ābwābs* through several centuries of our history.

The *ābwābs* may be divided into six broad classes:—

(*a*) Duties on the local sale of produce, like the municipal *octroi* duty of certain towns in modern India, but taken by the State.

(*b*) Fee on the sale of immovable property.

(*c*) Perquisites exacted by the officials for their own benefit, and fees or commissions levied on behalf of the State, on almost every conceivable occasion.

(*d*) License-tax for plying certain trades.

(*e*) Forced subscriptions.

(*f*) Special imposts on the Hindus.

The imposts abolished by Akbar are named in the *Ain-i-Akbari*, ii. 66-67, of which a somewhat different version is given by Thomas in his *Revenue Resources*, 17-19. Both these lists require correction in the light of the explanations of several of the items given in this chapter.

Jahangir abolished the duties named *tamghā* and *mir-bahari*, "together with the taxes of all descriptions which the jagirdars of every *subah* and every *sarkār* had been in the habit of exacting on their own account." [Elliot, vi. 493.]

In addition to *ābwābs* or illegal direct taxes on sellers and buyers of goods and practitioners of every trade and profession, there was another source of exaction, namely the private trade* of the local officials in defiance of the Emperors' repeated prohibitions, which imposed an oppressive burden of indirect taxation on producers and consumers.

As late as 1665, we learn from Aurangzib's *farmān* dated the 20th November of that year, that the magistrates and other officers in Gujrat used to buy and sell on their own account by force, paying less than the market price to the vendors and exacting an unfairly higher price from the traders on whom they forced their goods. "*Mutasaddis* (collectors), *seths* (leading merchants) and *desais* (headmen) in many parganahs when the new harvest is marketed do not allow the public to buy it, but take up the whole of it themselves, and out of it they force on the traders whatever is rotten or spoilt, taking the price of good grain....... Governors and rich men cultivate every kind of kitchen vegetable and fruit in their own gardens and in those of the State, and force them on the vegetable-sellers at double the fair price... In Ahmadabad and the parganahs of that subah certain men have taken in farm (*ijāra*) the monopoly of buying and selling rice, and nobody can deal in that grain except with their consent; hence, rice has become dear in Gujrat." [*Mirat,* i. 260.]

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* Called *tarah* in Persian [*Ghiyās-ul-lughat*.]

The evil custom of local governors and even faujdars opening the packages of traders on the road and taking out whatever they liked at prices fixed at their own caprice, was known as early as Jahangir's reign and was definitely forbidden by that Emperor in one of his twelve rules. [Elliot, vi. 496.] But the practice continued, as we know from the European travellers in India. As late as the beginning of the 18th century we find Aurangzib writing a stinging letter of censure to his grandson Azim-ush-shan, the governor of Bengal, for conducting such unfair private trade (*sauda-i-khās.*) [*Riyaz-us-salatin,* Eng. tr. 246, and I.O.L.MS. 3021, 53*a*.]

In fact, in mediæval India, the corrupt greed of the ill-paid officials found unchecked indulgence from the system of public taxation, which was crude, not clearly defined nor sufficiently made known to the public, but often varied from reign to reign. The timidity of the common people and the weakness of the central Government and its lack of a sufficient number of trusty agents left the population helpless under official extortion. The same commodity was subjected to taxation twice or thrice over, in spite of the Emperors' prohibition.

A farman of Aurangzib, dated 20th November 1665, gives illustrations of the illegal exactions on the people of Gujrat; the same practices must have prevailed in the other provinces of the empire also. These forms of extortion are described below.

§ 9. Abwabs abolished by Aurangzib.

Aurangzib abolished the following *abwabs*:—

A. *Duties on the sale of produce*:—

[The lawful tax, confined to certain articles only and not leviable when the price of the commodity was below the *nisab* or Quranic minimum (Rs. 52-8), was 5. p. c. of the sale price in the case of Hindu dealers, and 2½ p. c. for Muslims. *Mirat,* i. 258.]

1. Fish &c. caught and brought by fishermen for sale.
2. Kitchen vegetables, brought by peasants from their fields for sale.
3. Cow-dung cakes (used as fuel.)

4. Milk and curd.
5. Leaves of the *Dhāk* (*Butea frondosa,*—Bengali *Palāsh*) and *Pālā* (*Jharberi* or *Zizyphus*) trees and the bark of the *Babul* (gum plant, *acacia*) &c., brought from the jungles for sale.
6. Grass, brambles, and fuel-wood brought from the jungles.
7. Oil. [We learn that in Saraspur in Gujrat the officials exacted Rs. 30 annually from each carrier of drums (*kupahs*) of oil. *Mirat,* i. 261.]
8. Earthen pots and dishes, made in the villages and towns for sale.
9. Tobacco. [This excise duty was abolished in 1666 in consequence of a soldier killing his wife when her cart was searched by the tax-collector for concealed tobacco. *Storia do Mogor,* ii. 175 and *History of Aurangzib,* iii. Ch. 28 § 1. Aurangzib's farman of 1673 definitely instructs his officers, "Do not trouble the people by searching their *dolis,* bullock-carts, and other things." *Mirat* i. 287 adds the explanation, "The *dolis,* bullock-carts, and camel-litters ridden by women and children used to be searched, and bags, boxes and bundles opened, for taking the tax on tobacco and other things."]
10. A State monopoly of purchase was now ordered to be discontinued: "Formerly the officials used to buy up for the State factory of perfumery all the roses available, and their sale to the public was prohibited. But at the suggestion of Qutbuddin Khan a farman was issued allowing gardeners to sell their flowers wherever they liked." [*Mirat,* i. 262.]

B. *Fee on the sale of property.*

11. On the sale or mortgage of land.
12. On the sale of houses (*haveli*), qanungoes and *piadas* used to take 2½ p. c. from the vendor. [*M.* i. 260.]
13. "In the village of Dholqa when a poor man wishes to pull his house down and sell the materials, the kotwal takes three *tankas* for every thousand bricks that are sold for one Rupee." [*M.* i. 262.]
14. In addition to No. 12 above, when a house was sold, Government exacted a valuation fee (*muqimi*) from the vendor. [*Mirat,* i. 287, Z. and D.]
15. On the sale of slaves.

C. *Fees or commissions of the State and perquisites of officials*:—

As Shihabuddin Talish complained in 1666, "From the first occupation of India and its ports by the Muslims to the end of Shah Jahan's reign, it was a rule and practice to exact *hāsil* (duty) from every trader—from the rose-vendor to the clay-seller, from the weaver of fine linen to that of coarse cloth."

16. *Rāhdāri* or remuneration of road patrols.

[Abolished by Aurangzib in 1659. The hardships and abuses connected with this tax are fully described in my *History of Aurangzib*, iii. Ch. 28 § 1 and *Studies in Aur. Reign*, Ch. xi. In the Crown-lands alone this tax used to yield 25 lakhs of Rupees a year, at the time of its abolition.]

17. Ground-rent for stalls in bazars (*tah-i-bāzāri.*) Vegetable-sellers and dealers in similar articles squated down in the bazar, and had to pay a rent for the space at the bottom (*tah*) of the market-place which they occupied. A very ancient tax, abolished also by Firuz Shah (1375.)

18 & 19. In decreeing suits for the repayment of loans and in returning to the owners stolen property which had been recovered, the magistrates used to take one-fourth of the value of the loan or property, for the State. Aurangzib abolished this fee, as well as the payment of the fines and thanks-offerings (*sharāi jurmāna wa shukrāna*) [by litigants] which had the sanction of ancient usage and Muslim judicial practice.

20. *Shash dāmi* (a fee of three-twentieth of a Rupee.) ?

21. A tax on every iron cauldron in which molasses are boiled. [*Mirāt* adds, "But the duty on sugar boiling is to be levied as laid down by law."]

22. Ferry tax collected on rivers that have dried up [and can be crossed on foot.]

23. A tax called boatmen's wages (*mallāhi*), taken on behalf of Government, from traders and travellers in crossing ferries, must not exceed the actual wages of the boatmen or the estimate [of it] made by Government.

24. Tax on stone or iron weights, levied at the time of officially stamping these weights.

25. Fee for the census of arms (*dast-yār*), houses and their inhabitants, which was taken from the Hindus, but from which the Muhammadans were exempt. We know that it was the *kotwāl's* duty to prepare such lists for the cities, but it was clearly illegal to tax the people for this operation. [The text looks like *dastār-shumāri*, or tax per turban, which suggests the tax on every *pāgri* abolished by Akbar. *Ain*, ii. 67.]

26. The customary perquisite on confirmation of grant (*muqarrari*) taken from men in the enjoyment of rent-free land (*madad-i-mā‘sh.*)

27. The exaction of presents in kind from such men at the time of marking out their plots of land (*chak bandi.*)

28. Tax for grazing bullocks taken from the *banjāras* (wandering grain-sellers) and other people. *Mirāt*, i. 260, explains it

thus, "The collectors take one *tanka* under the name of *gāu-charāi* every time that bullocks of carts and pack-oxen are brought into the city and fed on purchased grass and stalks of millets (*karbi.*)" The same authority refers (p. 263) to another practice,—"In the city of Patan, the officials by violence exact four Murādi *tankas* every year per head of sheep, eight annas per cow and one Rupee per buffalo, even though they may not be grazing at large (*sāima*) and their price is below the *nisāb* (the canonical minimum value for taxation.)"

29. Tax for hiring out carts, camels, and messengers.
30. When the class of men called *Dhawāia,* who live by hiring out their carts, buy oxen in Burhanpur or any other place, paying the tax on purchase there, and bring them to Ahmadabad, they have to pay that tax again here, and if they do not pay it of their own motion, they are declared offenders (for attempted evasion of the tax) and fined.
31. Perquisite levied on the weighing balances (*dandi*) from *chungi* (octroi collection stations) and other places ; called the dārogha's fee for *tarāzu-kashi,* and in some places *dhāran* and *dandi-dāri.* [*Mirāt.* But Z. and D. have simply *dāroghāgāna wa rasum-i-kotwāli.*]

32. Perquisites on special occasions—*e.g.*, once a year (*sāliānah*), once a season (*fasalānāh*), once a month (*māhānah*), on Fridays (*jumagi*), daily (*roziānah*), in winter (*zamstāni*), on the two *Ids* (*idi.*) [The text is obscure ; the Muslims seem to have been exempt from these from the very beginning.]
33. Price of paper [used in official accounts and in the receipts granted to the peasants.]
34. Presents (*peshkash*) taken by newly arrived officials from the grain-dealers and other [trades-] people, in some places from the *banjaras.* *Mirat,* i. 261, adds, "Faujdars and kroris take from the men of the parganahs on the banks of the Sabarmati and Watrak rivers, by force what they call *kachari,* amounting to Rs. 10 to 15." And again, "If a resident of Ahmadabad wants to cut a tree in his ancestral house that is doing harm to his building the officials of the place will not allow him to cut it down or even any branch of it, unless he pays them something." (*Ibid* 260.)
35. Leave-taking fee (*rukhsatanah*),—exacted by royal messengers from the persons addressed, after carrying letters to them from the imperial camp.
36. The sentries at the gates of forts must not take anything from the people passing through them. *Mirat,* 262, explains it

thus,—"The guards at the gates of the city of Ahmadabad and its suburbs (*puras*) prevent carts, pack-oxen, and men carrying loads on their heads from entering or leaving till they have paid some gratification."

37. "When a poor man or peasant brings any kind of animal to Ahmadabad or its *puras* for sale, exactions are made from them twice,—first as the import duty (*āmdani*) and secondly as the royal commission on the sale-price. If they cannot sell it but wish to return with it, the officials exact an export duty (*raftani*)"! [*M.* i. 262.]

38. "When carts loaded with grain or other things leave [the city], the officials take Rs. 2 per cart at the police office (*chabutra*) under the name of *chhati*." [*M.* 263.]

39. In Patan, on every cart of banana or sugar-cane they charge four or five Rupees, and also take 4 per cent of the mangoes bananas or sugar-cane. [*Mirat*, 263. Text reads *chahār sad*, which I have emended as *sad chahār*.]

40. From every waggon of grass or millet-stalk in several places they take one bundle, and in the case of fire-wood five seers. And when loads of these are carried on men's heads, they take four *badams* from each. [*Mirat*, 260. *Karbi*—the stalk of millets, &c., used in feeding cattle. *Badam* or almond was used in Gujrat as a sort of counter, like *cowries* in North India; 100 *badams* make one anna. (K. M. Jhaveri.)]

41. *Chungi-gosht* (or *chauki-gosht*?) A share of meat taken by the police, [*Mirāt* 287 adds "at the kotwāl's chabutra."]

42. Governors must not billet themselves on private houses, mosques, or shops, without the consent of their owners. [Also forbidden by Akbar and Jahangir; Elliot, vi. 503.]

43 and 44. Fee on a low-caste Hindu marrying a Hindu widow (*dharicha*) and having a child by her. [I am inclined to think that there was no taxation of the birth of children in general, though some extortionate zamindars are even now known to practise it.]

45. Making good the losses in transit of fruits and things ordered by the Emperor from the provinces. The people were taxed for it! [*M.* 287.]

D. *License-tax on trades and professions*:—

A poll-tax called *muhtarfa* (Wilson, 350) was levied by the officials everywhere upon every class of artificers. It was repeatedly condemned by Aurangzib. [*M.* 260.]

46. Slaughter-fee, at the time of slaughtering cows, goats, &c. *Mirat* 261 adds,—"The officials first of all collect the duty on the purchase of oxen, buffaloes &c.; then at the time of slaughtering them they take

an additional Rs. 1½ per head of cow or buffalo······Hence, meat is very dear in the province of Gujrat." Aurangzib (in 1665) strictly ordered,—"When a cow or buffalo is sold for the *maulud* ceremony or a feast &c., the duty on the purchase is, according to a former order, collected at the kotwal's chabutra at the rate of 5 p. c. from the Hindu and 2½ p. c. from the Muslim vendors ; but do not give them any other trouble." [*Mirat,* i. 262.]

47. From footmen (*piadas*), for the rods [*danda,* which they carry as badges? Or, for *dhanda*=profession?]

48 and 49. From cotton-dressers and sugar-cane-pressers, when they came to a new place to start business there, the officials used to exact Rs. 1½ before allowing them to set up their trade. [*Mirat,* 260.]

50. Fee for learning a craft. "If a man wishes to learn any branch of the weaver's or embroiderer's art, he has to pay the local officers something under the name of 'craft learning fee' on the completion of his training." [*Mirat,* 260.]

51. From thatchers (of roofs) and watchmen.

52. Tax levied at the time of printing cloth. [*Mirat,* 287, adds "and the hands of *Kallāls* or brewers of wine."]

53. Headman's fee (*muqaddami*) on the hire of camels.

54. Commission of the headman (*dastur-i-mehtarāi*) in the vegetable market &c. [Wilson, 338.]

55. From mummers, who use to put on disguises and go to houses where marriages are being celebrated, to entertain the people,—take away everything received by them. [Aurangzib forbade this kind of entertainment in Kashmir in his latter years.]

56. From brokers, escheat to the State the brokerage of the Government brokers. [? Obscure text ; doubtful translation.]

57. Tax on matchlocks [? or from gunsmiths. D. only source.]

E.—*Forced subscriptions, gifts, and service* :—

58. Forced labour (*begār.*) "In the city and villages of the province of Gujrat, on account of forced labour [exacted by the officials] the artisans are put to great distress." [*Mirat,* 260, farmān of 1665.]

59. Forced labour and [compulsory contribution for] lamps on the *Id* festival.

60. Contribution exacted for lighting lamps in the nights of *shab-i-barāt, diwāli,* and *āshura* (the first ten days of the month of Shawwāl), &c.

61. *Bhet baqra.* Presents, including a goat, offered by the people to the governor or zamindar on his visit to a place, the price of which is raised by compulsory subscription from the peasantry collected by the local officials or the landlord's agents.

This *abwab* lingered in Bengal till late in the 19th century. [D. Z. and *Mirat* 287 read *bhet banjāra.*]

In 1682 Aurangzib had to issue another farmān [*Mirat*, 304] forbidding the following ābwābs,—*malba, bhet, bālādasti, tahsildāri, sādir and wārid,*—which are explained below.

Malba—Village expenses met by public assessment. Its principal items in the N. W. Provinces are—feeding the members of the community when absent on public duty, or those of other villages on a visit, feeding religious mendicants, payments to subordinate police and revenue officers, remuneration to individuals for losses incurred in supplying cattle and carts for public service, fines imposed for plundered property when traced within the boundary of a village, presents to dancers singers jugglers and the like for amusing the inhabitants, expenses of religious worship and occasional festivals, expenses of Panchayets assembled on the business of the village, funeral expenses of a headman or any respectable member, &c. The total often reached 12 p. c. of the land revenue. [Wilson, 324.]

Bālādasti—Unauthorised or oppressive exactions in general. [*Ibid*, 51.]

Tahsildāri—A tax levied under the Mughal Government to pay the allowances of the revenue collector. [*Ibid*, 500. See *Ain*, ii. 66.]

Sādir wa wārid.—Exactions made by the royal messengers from the villages along the roads and from wayfarers. [See *Mirat*, 287.]

F.—*Imposts on the Hindus* :—

62. Tax on bathing in the Ganges and other sacred waters. The Mughal Government used to take Rs. 6-4 from every pilgrim at Allahabad. [*Storia*, ii. 82.]
63. Tax on carrying the bones of dead Hindus for being thrown into the Ganges. [The *jizya* or poll-tax was reimposed later, in 1679.]

In Egypt, the sources of revenue illegal according to the Canon Law were the *mukus*,—a vast number of small taxes and all sorts of monopolies. [*Encyclo. Islam*, ii. 15, iii. 176. Lane-Poole's *Hist. of Egypt*, 43.]

CHAPTER VI

Law and Justice

§ 1. How the Mughal Emperors did justice in person.

The *qāzi*, by the theory of his office, ought to adjudicate all cases, civil and criminal. But in practice, from quite an early period of the Caliphate there has been throughout the Muslim world a two-fold method of administration of law, *viz.*, (i) religious suits to be decided by the *qāzi* according to Canon Law, and (ii) secular cases to be tried by the lay authorities who followed some legal system or practice other than the Quranic Law or *Shara*ʿ. "The Prophet and the early Caliphs often decided disputes in person as judges, as did their governors and prefects in the various provinces. Justice was always administered in Muslim lands to a great extent by local authorities. This was sometimes called *Nazar fi'l-Mazālim*" [*Ency. Isl.* ii. 606]—or, as Aurangzib called his own Wednesday session of justice, *Diwān-i-Mazālim*.

According to the ancient political ideal, which both the Hindus and the Muhammadans accepted, the Sovereign is the fountain of justice, and it is his duty to try cases personally in open court. The Mughal Emperors acted up to this ideal, and we possess contemporary accounts, written by Court historians and European travellers alike, as to the manner in which they dispensed justice.

Both Shah Jahan and Aurangzib held no public *darbār* on Wednesday, but reserved that day for holding a court of law. "The Emperor came direct from the *darshan* window to the *Diwān-i-khās* (or Hall of Private Audience) at about 8 A.M. and sat on the throne of justice till midday. This room was filled with the law-officers of the Crown, the judges of Canon Law (*qāzis*), judges of Common Law (*ādils*), *muftis*, theologians (*ulema*), jurists learned in precedents (*fatāwa*), the superintendent of the law-court (*dārogha-i-adālat*), and the *kotwāl* or prefect of the city police. None else among the courtiers was admitted unless his presence was specially necessary. The officers of justice presented the plaintiffs one by one, and reported their grievances. His Majesty very gently ascertained the facts by inquiry, took the law from the *ulema* and pronounced judgment accordingly. Many persons had come from far-off provinces to get justice from the highest power in the land. Their plaints could not be investigated except locally; and so the Emperor wrote orders to the governors of those places, urging them to find out the truth and either do them justice there or send the parties back to the capital with their reports." (*Studies in Aur. Reign*, Ch. ii.)

The Emperor was the highest court of appeal and sometimes acted as a court of first instance, too. But, from the nature of things, only a few plaintiffs could reach his throne and he could spare time for adjudicating only a small portion of the appeals that were handed to him, though some of the Mughal Emperors, made a parade of their devotion to duty,

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The main defect of the department of law and justice was that there was no system, no organization of the law courts in a regular gradation from the highest to the lowest, nor any proper distribution of courts in proportion to the area to be served by them. The bulk of the litigation in the country (excluding those decided by caste elders or village panchayets, mostly for the Hindus) naturally came up before the courts of the qazis and sadars. The qualifications and duties of these officers have been described in Ch. II. [*Ain.* ii. 41.]

§ 2. Description of trials held by the Emperor.

This division of judicial work is noticed by the early European travellers. William Finch writes in 1611:

"The castle of Agra has four gates,...one to the west, towards the Bazar, [is] called the *Kachari* gate, within which, over against the great gate is the qazi's seat of chief justice. Over against this seat is the *kachari* or Court of Rolls, where the king's wazir sits every morning some three hours, by whose hands pass all matters, rents, grants, lands, farmans, debts, &c.···Tuesday is day of blood, both of fighting beasts and justiced men, the king judging and seeing

execution" [carried out in the plain on the river bank, below the *darshan* balcony.] (Purchas, iv. 72, 73).

Five years later, Terry observed,

"The Emperor himself moderates in all matters of consequence which happen near his Court, for the most part judging *secundum allegata* and *probata.* Trials are quick and so the executions. The governors in cities and provinces proceed in like form of justice. I could never hear of law written among them: the king and his substitutes' will is Law." (*Ibid,* ix. 47.)

Aurangzib's manner of doing justice is thus described by Bernier, an eye-witness:

"All the petitions held up in the crowd assembled in the Hall of Public Audience are brought to the king and read in his hearing; and the persons concerned being ordered to approach are examined by the monarch himself, who often redresses on the spot the wrongs of the aggrieved party. On another day of the week he devotes two hours to hear in private the petitions of ten persons selected from the lower orders and presented to the king by a good and rich old man. Nor does he fail to attend the justice-chamber, called *Adalat-khanah* on another day of the week, attended by two principal *qazis.*" (Bernier, 263.)

Manucci describes the scene of the royal dispensation of justice:

"The king holds public audience in the *Amkhas* [meaning the *Diwan-i-am*], and there it is usual for aggrieved persons to appear and make complaint.

Some men demand punishment for murderers, others complain of injustice and violence or other such like wrongful acts....The king ordains with arrogance, and in few words, that the thieves be beheaded, that the governors and *faujdars* compensate the plundered travellers.···In some cases he announces that there is no pardon for the transgressor, in others he orders the facts to be investigated and a report made to him." (*Storia,* ii. 462.)

§ 3. Qazis and their work.

Every provincial capital had its *qāzi,* appointed by the Supreme *Qāzi* of the Empire (the *Qāzi-ul-quzāt*) ; but there were no lower or primary courts under the former, and therefore no provincial court of appeal. A *qāzi* was also posted to every town and most of the villages with a Muhammadan population and large enough to be classed as *qasbas.* The other villages had no *qāzi* of their own, but any plaintiff living in them, if he was sufficiently rich and enterprising, could carry his suit to the *qazi* of the neighbouring town in whose jurisdiction they lay.

As the provincial qāzi's jurisdiction was very vast and he had no assistant or deputy legally competent to share his burden, only a small part of the disputes in the provinces could be tried by him. The Indian villager in the Mughal empire was denied the greatest pleasure of his life in our own times, *viz.,* facility for civil litigation with Government courts of first instance close at his doors and an abundance of courts of appeal rising up to the High Court at the capital.

Men had, therefore, to settle their differences locally, by appeal to the caste courts and local juries (called *panchayets* in North India and *mahazars* in the Deccan), the arbitration of an impartial umpire (*salis*), or by a resort to force.

§ 4. The Qazi, his position and powers.

The *qazi's* business, in strict theory, was to play the part of a jury : he was to take the law from others and pronounce a verdict in the particular case on the basis of the evidence adduced. This expounder of the law was the *mufti,* whom we may rather loosely call the advocate general. "The *mufti* is the officer who expounds and applies the law to cases, and the *qazi* is the officer who gives it operation and effect."* An illiterate man may legally act as a *qazi,* according to all the schools of Muslim law except that of Shafi, because "A *qazi's* business may be to pass decrees merely on the opinions of others. The object of his appointment, moreover, is to render to every subject his just rights, and this object is accomplished by passing decrees on the opinions of others." (*Hedaya,* translated by Hamilton, 2nd edition, 334-335.)

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* In theory, "the *qāzi* must be a Muslim scholar of blameless life, thoroughly conversant with the prescriptions of the sacred Law.... These judges are tied down to the decisions of earlier authoritative scholars...and have to adhere strictly to the rules laid down in the *fiqh* books.... The judgment of the *qāzi* is decisive for the parties; there is no appeal from it." [*Ency. Isl.* ii. 606.]

Though many of the qazis were very learned lawyers, yet the primary and indispensable qualifications of a qazi were, in theory at least, honesty impartiality virtuousness and pure detachment from the society of the place. (*Hedaya*, also *Manual.*)

In practice this high ideal was seldom attained, though there are some noble exceptions in the history of Islamic lands. To take one example only, Abdul Wahhab Borah, the first Chief Qazi of Aurangzib's reign, was so corrupt that during 16 years of office he amassed a fortune of 33 lakhs of Rupees in cash, besides much jewellery and other valuable things. But his son and successor, Shaikh-ul-Islam, was of an exactly opposite character. He did not touch a penny of his father's ill-gotten riches, but gave away his share of them in charity. Not only did he decide all cases without the faintest suspicion of corrupt influence or bribery, but he even declined the customary presents and gifts from his nearest friends and kinsmen. [*History of Aurangzib*, iii. Ch. 27 § 10.]

But in the Mughal empire the qazis were not sufficiently supported by the executive. As Bernier noticed,

"The qazis or judges are not invested with sufficient power to redress the wrongs of these unhappy people [*viz.*, the peasant artisan or tradesman oppressed by the jagirdars, governors and farmers of the revenue]. This sad abuse of authority may not be felt in the same degree near capital cities...or in the vicinity of large towns and seaports, because in those places acts of gross injustice cannot easily be

concealed from the Court". (P. 225.) And, again, "Of what advantage are good laws when not observed, and when there is no possibility of enforcing their observance? The governor is absolute lord, in the strictest sense of the word. He is in his own person the intendant of justice, the parliament, the Presidial Court, and the assessor and receiver of the king's taxes...In eastern countries, the weak and the injured are without any refuge whatever; and the only law that decides all controversies is the cane and the caprice of a governor." (Pp. 235-236.)

But Bernier must be here referring to revenue exactions and executive oppression, and not to cases which could be clearly brought under the Canon Law, for the qazi's jurisdiction over the latter was unquestioned and universally exercised in practice. Though the provincial governors were jealous of the qazi's power, they durst not openly defy him, because he could always appeal to the Emperor in the name of the Sacred Law.

According to Muslim jurisprudence, the qazi must discharge his duty in a mosque or some other public place, the Jama Masjid of the town being specially recommended. As a concession, however, he was permitted to hold court in his house occasionally, but in that case the public were to have free access there and the two parties were to be placed by him on an absolutely equal footing as regards seats, conveniences and general treatment. (*Hedaya*, 337.)

We possess the imperial regulation about the office-work of the qazis. About 1671 the Emperor Aurangzib learnt that the judges of the province of

Gujrat used to sit in their offices (*muhakuma-i-adalat*) on only two days in the week, while on two other days (*viz.*, Tuesday and Wednesday) they attended the subahdar's *darbar*, and treated the remaining three days of the week as holidays. The Emperor wrote to the diwan of the province, "This way of doing work is not the practice at the imperial Court nor in any other subah, and therefore there is no reason why it should be so in Gujrat. The diwan is ordered to urge the judges to sit in their offices on Saturday, Sunday, Monday, Tuesday and Thursday, *i.e.*, five days, while on Wednesday they should attend the subahdar, and Friday alone should be a holiday. From two *gharis* (about an hour) after daybreak to a little after midday (*i.e.*, when the sun has begun to decline), the judges should sit in the court room and do justice, and go to their homes at the time of the *zuhar* prayer." (*Mirat-i-Ahmadi*, i. 275.)

§ 5. Muslim law, its character and sources.

The crudeness and insufficiency of the judicial system were aggravated by the fact that the only law recognised by the Emperor and his judges was the Quranic law, which had originated and grown to maturity outside India. It was supposed to have been defined once for all within the pages of the *Quran* as revealed to the Arabian Prophet and his Traditional Sayings (*Hadis*). But there was a wide latitude in the interpretation of the words of the *Quran*. And for this purpose our Indian judges turned to the known decisions of the pious Muslim kings and eminent Muslim jurists of the past, in the chief centres of Islamic thought and civilization outside India. Thus, Muslim law in India did not originate in legislation but in revelation ; it had two other sources, *viz.*, precedents or case-laws and the opinions of jurists, though both of these latter merely professed to make the meaning of the *Quran* explicit and not to add any new principle or rule to what is written in the Book of God.

All the three sources of Indo-Muhammadan law were trans-Indian. No Indian Emperor's or Qazi's decision was ever considered authoritative enough to lay down a legal principle, elucidate any obscurity in the Quran, or supplement the Quranic law by following the line of its obvious intention in respect of cases not explicitly provided for by it.

Hence, it became necessary for Indian qazis to have at their elbow a digest of Islamic law and precedent compiled from the accepted Arabic writers. Such digests were prepared from time to time, and their character varied with the sovereign's choice among the four schools of Islamic law, *viz.*, the Hanafi, the Malaki, the Shafi, and the Hanbali. The Hanafi school was considered orthodox in India. The last law digest prepared in our country was the *Fatawa-i-Alamgiri*, which was compiled by a syndicate of theologians under orders of Aurangzib at a cost of two lakhs of Rupees. Muslim law in India was, therefore, incapable of growth and change, except so far as it reflected changes of juristic thought in Arabia or Egypt.

As is well-known to students of mediæval history, in a Muslim State the Civil Law is merged in and subordinated to the Canon Law, and the theologians are the only jurists.

In the old Marathi records we have much information about the Hindu caste courts and arbitration boards which administered justice according to Common Law. But they refer to the Deccan only, where society was differently constituted from Northern India. A few Sanskrit judgments have survived, giving us a glimpse of the Brahmanic courts sanctioned by the Emperor Akbar, which followed Manu and other text-writers on the "Gentoo Code," as Nathaniel B. Halhed called the loose mass of Sanskrit legal rules and pious injunctions which were appealed to by Hindu litigants at the end of the Mughal period.

§ 6. Classification of crimes.

According to Muslim ideas of jurisprudence crimes fall into three groups, namely,

(*a*) offences against God,
(*b*) offences against the State, and
(*c*) offences against private individuals.

Punishment for the first of these classes is "the right of God (*haqq Allah*)," while for the other two classes of offences the injured party may forgive or compound with the wrong-doer. Thus, curiously enough, man-slaughter is not a violation of God's law nor of the king's peace, but only a damage to the family of the murdered man, which can be settled by paying money compensation (called 'the price of blood') to the next of kin of the victim, without the Executive Head of the State or the Judge of Canon Law having to take any further notice of it. It was only when the relatives of the murdered man refused to accept money damages and insisted on retaliation, that the qazi had to pronounce the sentence of death and the executive to enforce it.

The Institutes of Timur puts the matter with great clearness and force. He writes:—

"Robbers and thieves, in whatever place they might be found, or by whomsoever detected, I commanded to be put to death." [*Note.* This, however, was not in exact accordance with the Quranic law.]

"And I ordained that, if any one seized by violence the property of another, the value of that property should be taken from the oppressor, and be restored to the oppressed.

"Concerning other crimes,—the breaking of teeth, the putting out of eyes, the slitting and cutting off of the ears and nose, wine-drinking and adultery,—I ordained that whoever should be guilty of these, or other crimes, they should be brought into the courts of the ecclesiastical and lay judges,—[the exact terms being *Qazi-i-Islam* and *Qazi-i-Ahdas,*—*ahdas* meaning 'ritual impurity,' probably an error for *azāb*, 'torment'] ; that the ecclesiastical judge should decide on those causes which are determinable by the sacred laws (*Shara*), and that those which did not fall under his cognizance [*urfi bashad, i.e.,* pertain to the public or secular law] should be investigated and laid before me by the lay judge."

(Davy's *Institutes of Timur,* pp. 251 and 253, corrected by reference to the Persian text.)*

§ 7. Description of punishments allowed by Muhammadan Law.

The punishments† for crimes were of four classes :—

(*a*) *Hadd,* (*b*) *tazir,* (*c*) *qisās* and (*d*) *tashhir.* To these we may add detention in prison without trial, somewhat like our *hājat* (lock-up), but more severe.

Hadd (its plural being *hadud*), means a punishment prescribed by Canon Law and considered as 'the right of God,' which, therefore, no human judge can alter. The original design in the institution of *hadd* is determent, *i.e.,* warning people from the commission of certain offences. The absolution of the person punished is not the original design of it, because *hadd* is inflicted equally on infidels and Muslims.

Hadd must take certain prescribed forms of punishment, *viz* :—

(*i*) Stoning to death for adultery ; scourging for fornication [100 stripes].

(*ii*) Scourging for falsely accusing a married woman of adultery [80 stripes].

(*iii*) Scourging for drinking wine and other intoxicating liquors. For a free man the punishment was 80 stripes for wine drinking.

(*iv*) Cutting off the right hand for theft.

(*v*) For simple robbery on the highway, the loss of hands and feet ; for robbery with murder, death either by the sword or by crucifixion.*

(*vi*) For apostasy, death.

Tazir is punishment intended to reform the culprit···According to *fiqh* books, *tazir* is inflicted for such transgressions as have no *hadd* punishment and no expiation prescribed for them. The kind and amount of *tazir* is left entirely to the discretion of the judges....The judge can completely remit the *tazir.* The process of trial is simple in contrast to

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* In strict legality, the death sentence for highway robbery could be pronounced only by a qazi and not by the king or any of his civil officers independently. Aurangzib, soon after his accession, beheaded five hundred robbers as a warning to all lawless men. (*Storia,* ii. 4.) But towards the end of his reign he changed his opinion about his powers and regulated his conduct in strict conformity with the Quranic law. He, therefore, severely censured one of his highest generals, who had put a highway robber to death, and urged him to place all such cases before the qazi in future. (*Ahkam,* § 34.) See § 8 below.

† *Encyclo. Islam,* i. 123 (*adhāb*), ii. 187 (*hadd*), 822 (*katl*), iv. 1227 (*zina*); Abu Yusuf's *Kitab-ul-Kharaj* tr. by Fagnan, 230-290 (different); Hamilton's *Hedaya,* 2nd ed., 175-196; Hughes, 153.

* "If a man or woman steal, cut off their hands;...... this is an exemplary punishment appointed by God." (*Quran,* v. 37-38.) To this Jalaluddin Al-Bedavi adds the commentary : "For the first offence, the criminal is to lose his right hand which is to be cut off at the wrist; for the second offence, his left foot at the ankle; for the third, his left hand; for the fourth, his right foot; and if he continue to offend, he shall be scourged at the discretion of the judge." [Sale.]

that for *hadd*. Hence attempt was often made to escape *tazir* by bribery. [*Ency. Isl.* iv. 710.]

It was not the 'right of God.' It could take one of these four forms:—

(*i*) Public reprimand (*tadib*).

(*ii*) *Jirr*, or dragging the offender to the door [of the court house?] and exposing him to public scorn; somewhat like putting a man in the pillory.

(*iii*) Imprisonment or exile.

(*iv*) Boxing on the ear; scourging. The stripes must not be less than 3, nor more than 39 (or 75 according to the Hanafi school, as in Abu Yusuf).

We are told in the *Hedaya*, a Persian compilation of Islamic law according to the Hanafi school of jurists drawn up by Mulla Tajuddin, Mir Muhammad Husain, and Mulla Shariatullah about 1780, that the above punishments should be inflicted according to the offender's rank, and that imprisonment and scourging were to be confined to the third and fourth grades of the people,—the petty traders and common labourers, respectively, (or as Manu would have put it, the Vaishyas and Shudras),—while the lighter forms of punishment were reserved for the nobility and gentry! (*Hedaya*, 203-204; full details in Hughes, 632-634.)

As for *tazir-bil-māl* or 'chastisement in property' *i.e.*, fine, only Abu Hanifa pronounces it to be legal, but all other learned men reject it as opposed to the Quranic law. (*Hedaya*, 203.) Aurangzib, who was a strict Hanafi and himself well-read in Canon Law and the literature of precedents (*fatawa*), issued an order to the *diwan* of Gujrat and also of other *subahs*, in 1679, to the effect that as fine was not permitted by Canon Law, every civil official (*amal*), zamindar or other person found guilty of an offence, should, according to the nature of his act, be imprisoned or dismissed or banished, but not punished with fine. (*Mirat-i-Ahmadi*, i. 293.)

§ 8. Private vengeance, public degradation, &c.

Qisās or retaliation: This was the personal right of the victim or his next of kin, in the case of certain crimes, notably murder. If he demanded the legal punishment, the qazi was bound to inflict it, and neither he nor the king could exercise the royal clemency by modification or abrogation of the sentence. If, on the other hand, the next of kin of the deceased was satisfied with the money damages, called 'price of blood' (Arabic *diya*) offered by the murderer, or pardoned him unconditionally, it was his look-out, and neither the *qazi* nor the king was to take any further notice of the crime. For minor offences, the retaliation was, as laid down by the Mosaic law, "a tooth for a tooth and an eye for an eye," with certain exceptions. (Hughes, 481. *Encyc. Isl.* ii. 1038.)

Tash-hir or public degradation was a popularly-devised punishment of universal currency throughout the Muslim world and even Hindu India and Mediæval Europe. It is neither recognised nor condemned in the law-books of Islam, but was inflicted by all Muslim qazis and kings, and even by the lay public, as it was a mild form of lynching. In India, the offender's head was shaven, and he was mounted on an ass with his face turned towards its tail, covered with dust, sometimes with a garland of old shoes placed round his neck, paraded through the streets with noisy music, and turned out of the city. "The judge may blacken the face of the culprit, cut his hair or have him led through the streets, &c." [*Encyclo. Islam,* i. 132.] This last refers to the Arabian practice.

As for offences against the State, such as rebellion, peculation and default in the payment of revenue, the sovereign inflicted punishment at his pleasure, because the Quranic law gives no guidance here. Among the prevalent modes of putting an offender to death were having him trodden to death by infuriated elephants, burying him alive, causing him to be stung to death by cobras, or pressing him to death [the last being also sanctioned by mediæval English law.] Tortures of various degrees of ingenuity were resorted to.

Theft (*sārqa*) is punishable with the cutting off of one hand and one foot. But if the offender has robbed and killed, he is to be put to death···and his body publicly exposed for three days on a cross or in some other way. The punishment of death is here considered a *haqq Allah* and blood-money is out of the question. All accomplices are punished in the same way. The judge can inflict the above punishments, as *hadd,* only when all the legal conditions are fulfilled. The legal inquiry has to be conducted in the presence of the person robbed. For proof, two male witnesses are necessary, or a confession. If the thief has given back the article stolen before the charge is made, he is immune from punishment. [*Ency. Isl.,* iv. 173-174.]

The **capital sentence** (*qatl*) is inflicted, after the offence has been legally proved, in the following cases :—

(*i*) When the next of kin of a murdered person demands the life of the murderer (*qisās*) and refuses to accept the alternative of money compensation (*diya* or 'price of blood') ;

(*ii*) in certain cases of immorality ; the woman sinner is stoned to death by the public, (*Ency. Isl., s. v. zina,* iv. 1227);

(*iii*) on highway robbers (*Quran,* v. 37 *et seq*),

(*iv*) on apostates (*murtadd*) from Islam (*Quran,* iv. 91 *et seq.*) "The conversion of a non-Muslim to another non-Muslim religion is punishable with death. A *zindiq, i.e.,* any one who, professing to be a Muslim, is really an unbeliever, or any one who belongs to no religion," is liable to the death sentence...... "Every unbeliever who does not pay the *jizya*···may at any time be killed by any Muslim without the latter being liable to any kind of punishment or (money) damages." The killing of an apostate is an obligatory duty.

In addition to the above, the Hanafi school of law declares killing as lawful in the following three cases :—

(*v*) When the *ghāzi* kills his unbelieving kinsmen if they insult Allah or his Prophet,

(*vi*) when the Imān kills his unbelieving prisoner of war, in the case when the reasons for killing him exactly balance those for granting his life,

(*vii*) killing in self-defence, in defending one's own life person or property, or a helper.

Caution.—Any one who puts to death a *murtadd* (apostate) of whatever kind without powers granted by the authority, is generally liable not to *qisās* but only to *tazir*. So also is any one who kills an unbelieving prisoner of war without authority (of the *Imām*.) [*Encyc. Islam,* ii. 824—828.]

We may here conveniently deal with the law of civil imprisonment. When a creditor establishes his claim before the *qazi* and demands the imprisonment of his debtor, the *qazi* must not precipitately comply, but should first order the debtor to render the right. But if he neglects to comply with the decree and his capacity to discharge the debt is proved, then he must be imprisoned.

When the two parties voluntarily resort to an arbitrator (*sālis*), his award is legally valid, and it is the qazi's duty on a reference to him to give effect to the award if he approves of it. (*Hedaya,* 338, 343.)

§ 9. The Penal Code in the reign of Aurangzib.

Apart from the *Fatāwa-i-Alamgiri* or digested code of Islamic case-law, which Aurangzib caused to be compiled by a syndicate of theologians under Shaikh Nizam, he issued a *farmān* to the diwan of Gujrat on 16th June 1672, which gives his penal code in a short compass. I translate it below, using the word 'chastise' in the sense of *tazir* or infliction of corporal punishment at the discretion of the judge. The *farmān* runs thus :—

"The Emperor has learnt that local officers delay in disposing of the cases of those who are cast into prison on any charge. To prevent imprisonment without just cause, the following rules are laid down :

1. When theft has been proved against any man by legal evidence before the qazi, or the accused by his confession satisfies the conditions necessary for the imposition of *hadd,* the qazi should inflict the punishment in his own presence and keep him in prison till he manifests signs of penitence for his crime.

2. When theft is rife in the town and a thief is captured, do not even after proof behead him nor impale him, as it may be his first offence.

3. If a man has committed theft only once either less than or only up to the amount of the *nisāb**—*i.e.,* in such a way that punishment (*hadd*)

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* According to Quranic commentators, if the value of the thing stolen is less than four *dinars* or forty shillings mutilation should not be inflicted.

is not legally due, then chastise (*tazir*) him. But if he repeats the offence, then after *tazir* keep him in prison till he repents. If he is not cured by *tazir* and imprisonment, but commits theft again, then sentence him to long-term imprisonment or *siasat* and execution, and restore the stolen property to the owner, after legal proof of ownership, if he be present. Otherwise, deposit the property in trust (*āmānat*) in the *Bait-ul-māl*.

4. If a man has committed theft twice and *hadd* (punishment) has been awarded on both these occasions, and then he commits theft again and it is legally proved against him, and he has become a pickpocket and this crime is habitually committed by him,—then after *tazir* keep him in prison till he repents. But if even this does not reform him and he commits the offence [again], give him prolonged imprisonment [*i.e.*, during life.]

5. If a man is arrested for exhuming a corpse, reprimand and then release him. But if he takes to it as a profession, then banish him or cut off his hands by way of *siāsat*. Whatever is considered as preferable in the opinion of the governor of the *subah*, you should carry out with the officials of the law-court.

6. If a man is convicted of highway robbery before the qazi, or confesses to the offence with the details required as a condition for the imposition of punishment,—the qazi should carry out the appropriate punishment in his presence. But if his offence does not deserve death or [but?] some other *hadd* punishment, and the opinion of the governor of the

subah and the officers of the *adālat* is against his execution, then do him *siāsat* (mutilation.)

7. If an arrested thief speaks of his booty as lodged with another man, and it is discovered there, and the man is on investigation proved to be an accomplice of the thief,—then, in the case of this being the first offence of the accomplice, *tazir* him; but if it be habitual with him then after *tazir* imprison him till he reforms. But if these do not reform him and he commits the offence again, keep him permanently in prison. Stolen property to be restored as in rule 3. Innocent purchasers of stolen property were not to be punished, but it should be delivered to its original owner on proof, or deposited in the *Bait-ul-māl*.

8. On habitual malefactors who commit dacoity in the houses of people and do injury to their life and property, inflict *siāsat* after proof.

9. In the case of *Grasias* and zamindars [of Gujrat] who are habitual robbers and usurpers, and whose death is required in the public interest,—after proof inflict *siasat*.

10. A [suspected] strangler (*i.e.*, thug) whose act of strangulation has [not] been legally proved, should be chastised (*tazir*) and confined till he repents. But if he is habituated to the work and the fact is proved, by legal evidence, or if he is well-known to the people and the governor of the province [for such deeds], or traces of the strangulation and the property of the [murdered] man are found on him, and the subahdar and the officers of

the *adalat* feel a strong probability that he is the doer of such deeds, then execute him.

11. If a man suspected of theft, highway robbery, strangulation, or the felonious killing of people, is arrested and from indications (lit., signs) the subahdar and the officers of the *adalat* consider it most probable that he has often been guilty of the deed,—then imprison him that he may repent. If any one charges him with any of the above offences, resort to the qazi [for trial.]

12. Wicked men, who having set fire to the houses of other people take advantage of the gathering of a crowd to rob the property, or who administer *dhatura, bhang,* the nut of *nux vomica* (?) and such other narcotics to people in order to render them insensible and rob their effects,—should, after proof, be severely chastised and confined, so that they may repent. If they repeat the offence after having shown penitence and been released, do them *siasat.* If any one claims any property found with such men, refer the matter to the qazi, who will cause it to be restored to the rightful owner on proof and pay compensation for the property burnt [out of the malefactor's own property].

13. If a body of men rebel, collect materials for war, and prepare for it, though they have not yet taken up a position (stronghold) for resistance,—seize and confine them till they repent. If they have occupied a position for fight, attack and extirpate them, slay the wounded and defeated among them so long as they do not disperse. But after their dispersion, do not attack or kill them. If any one among them is captured, slay or imprison him so long as their party organisation is not broken up. Whatever property of the party is seized, restore to them after they have repented and you are reassured about their future conduct.

14. A counterfeit-coiner for the first time should be released after *tazir* and reprimand (*tahdid*) ; but if it be his profession, then *tazir* and imprison him till he repents. But if he does not give up the practice, detain him in long captivity.

15. If a man buys false coins from a counterfeiter and utters them as good money, same punishment as in 14 except long term imprisonment.

16. Innocent possessors of false coins are not to be punished, but the coins are to be destroyed.

17. If a man pretends to be an alchemist and thus takes away other people's property, *tazir* and confine him till he repents. The property, as in 3.

18. If a man deceitfully administers poison to another, with fatal effect, *tazir* and imprison him till he repents.

19. If a man deceitfully takes away another's wife, son or daughter, then after proof imprison him till he restores the wife to the husband, or the child to the parent, or till he dies in prison. If the wife or child has died [in the meantime], do the offender severe *tazir* and release him, or make *tash-hir* and banish him. Go-betweens to be chastised and imprisoned.

20. For gambling with dice, *tazir* and confinement are the punishment. For repetition, long-term

imprisonment. Property won, to be restored to owner or kept in trust.

21. For selling wine in a city of Islam or a village the offender should be chastised with severe blows. For repetition of the offence, imprisonment till reform.

22. If a man takes a distiller into his service and sells the spirit distilled, then chastise him with blows and confinement, *if he is not a person having entry to the Emperor's Court* (*ru-shinās*). But if he is, then report the facts of the case to the Emperor and severely beat and reprimand the distiller.

23. The vendors of *bhang, buza* and similar intoxicants should be chastised, and if habitual offenders, kept in prison till they repent.

24. If a man kills another by drowning him in water, throwing him into a well, or hurling him down from a hill-top or roof, chastise and imprison him and cause to be given [to the heirs of the murdered man] the *diya* or exculpatory fine which the Canon Law lays down. If he repeats the offence, do him strict *siasat*.

25. If an adulterer enters another man's house for committing the offence, severely chastise and confine him till your mind is composed about his future conduct.

26. If a man falsely accuses another before the governor and thus causes waste of property, he should, on proof, be subjected to *siasat* if it be his profession. Otherwise, he should be chastised and confined till he repents. He should pay compensation to those whose property he has wasted.

27. If a *zimmi* (male or female) takes a Musalman (male or female) as his or her slave, or a *zimmi* takes a Muslim woman or a Musalman a *zimmi* woman other than "the people of the Book" (*i.e.,* Jews and Christians), place the offender before the qazi to act according to Canon Law.

28. When courtesans, adulterers, Sodomites, drinkers of distilled spirits and other intoxicants, whisperers (*i.e.,* seducers), apostates, rebels against the qazi's orders, and female servants and slaves escaped from their masters, take refuge with the *mahajans* (merchants) and appeal to the diwani officers in the name of the Holy Law, you should act according to the order of the qazi.

29. When murder has been proved against any man according to the Holy Law or is close to certainty, keep the offender in prison and report the facts to the Emperor.

30. If anybody castrates another's son, chastise and imprison him till he repents.

31. If any leader (*rais*) of schismatics instigates others to innovations in religion (*bidat*), and there is a strong probability of the spread of *bidat* (heresy) through his instigation, do him *siasat*.

32. As for the captives that the faujdars and others send to the subahdar, immediately on their arrival inquire with all diligence into their cases, and if the cases relate to the revenue of the Crownlands deliver them to the revenue officers, urging them to dispose of the cases promptly. Otherwise apply to them any of the above sections that may be appropriate to their respective cases. Once every month

inquire into the cases of the prisoners in the *kachari* and police *chabutra*, &c., release the innocent and urge the quick trial of the others.

When a man is brought to the *chabutra* of the *kotwal* (prefect of the city police) under arrest by the kotwal's men or revenue collectors or on accusation by a private complainant,—the kotwal should personally investigate the charge against him. If he is found innocent, release him immediately. If anybody has a suit against him, tell the former to resort to a court. If there is any case of the Crownland revenue department against him, report the fact to the subahdar, take a *sanad* as suggested by the subahdar and act accordingly. If the qazi sends a man for detention, take the qazi's signed order for your authority and keep the man in prison. If the qazi fixes a date for his trial, send the prisoner to the *adalat* on that date: otherwise send him there everyday so that his case may be quickly decided.*

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* *Mirat-i-Ahmadi*, i. 278-283. The author adds, "Many words in this *farman* have perished through the passage of time and the damage done by worms, and the text is incorrect." I have translated it as it is. It gives a good picture of the social manners of the age and the eternal judicial ideas of the world of Islam.

CHAPTER VII

The Prerogatives of the Emperor

From Persian sources we have full information as to the rights and enjoyments which were reserved for the Mughal Emperor, and which it was high crime and misdemeanour for a subject to appropriate to himself.

Every provincial viceroy's ambition was to play the part of the Emperor within his own jurisdiction. The worst offenders in this respect were the holders of the four "greater subahdaris", or the viceroys of the frontier provinces, who were higher in power and rank than their brethren elsewhere, like the 'Marcher Earls' of Feudal England. The evil reached its climax under Islam Khan Chishti, the governor of Bengal from 1608 to 1613, an inordinately haughty and self-willed man. Jahangir, therefore, found it necessary to issue a circular order in his 6th year (1611) forbidding certain practices on the part of his viceroys as infringement of the royal prerogative.*

Aurangzib was equally punctilious about the prestige of the Crown, and jealously punished any assumption of imperial prerogatives even by his sons.

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* *Tuzuk-i-Jahangiri*, Sayyid Ahmad's ed., p. 100; *Baharistan*, 103*a*; *Iqbalnamah*, 59; *Mirat-i-Ahmadi*, i. 190.

As he used to say in defence of his unbending strictness in these matters,—

"If a single rule is disregarded, all the regulations will be destroyed. Though I have not yet permitted the violation of any rule [of the Court], men have grown so bold as to ask me to set rules aside!" [*Ahkam-i-Alamgiri,* §63.]

And, again, "How did he [meaning his son Prince Muazzam or Shah Alam] dare do a thing which is the special prerogative of kings? The late Emperor Shah Jahan was very negligent towards his sons, so that his affairs came to a pass that is notorious." [*Ibid,* § 15.]

From the official records of these two reigns we learn that sixteen things were specially reserved for the sovereign and forbidden to all subjects, however high in rank.

First. Showing his face to his subjects from the palace balcony in the morning. This was called *darshan,* from a Sanskrit word meaning 'the view of an idol or saint.' The Emperor Akbar began this practice. As his Court historian Abul Fazl writes,—

"His Majesty generally receives twice in the course of twenty-four hours, when people of all classes can satisfy their eyes and hearts with the light of his countenance. First, after performing his morning prayers, he is visible from outside the awning to people of all ranks,...without any molestation from the mace-bearers." (*Ain,* i. 156.)

In the eastern wall of the Agra palace (as well as at Delhi) there is a balcony, called the *jharokha-i-darshan,* overlooking the foreshore of the Jamuna

which stretches like a plain below. Vast crowds of expectant people assembled on this sandy plain every morning while the Emperor was in residence. He used to appear at the balcony about three quarters of an hour after sunrise and show his face to his subjects, who at once bowed, while he returned their salute. Half an hour or more was spent here, not merely in showing himself but also in doing business. The plain being outside the fort walls, the public had free access to it, and the oppressed could submit their petitions and make their complaints to the Emperor without having to grease the palms of the door-keepers and Court-underlings. Often a string was let down from the balcony, and the people tied their petitions to it, which were then drawn up by the attendants and submitted to the Emperor.

Curiously enough, there arose a class of servile people called the *darshaniyas,* who formed themselves into a sect of the Emperor's worshippers, like the guilds of *Augustales* in the Roman empire. These men did not begin their day's work nor eat their breakfast until they had gazed at the auspicious face of the Emperor in the morning, just as devout Hindus at Gaya and Jagannath-Puri act in respect of the local idols.

Aurangzib put an end to this practice of man-worship, by refusing to appear at the balcony of morning salute from the 11th year of his reign onwards. (Khafi Khan, ii. 213.)

Second. Chauki and *taslim* of *chauki, i.e.,* making the nobles mount guard round the royal residence and formally salute the place. Akbar instituted the practice. I quote from the *Ain-i-Akbari* (i. 257):

"Mounting guard is called *chauki* in Hindi. The four divisions of the army have been divided into seven parts, each of which is appointed for one day, under the superintendence of a trustworthy *mansabdar*. They are day and night in attendance about the palace, ready for any orders His Majesty may issue. In the evening the imperial standards (*qur*) are taken to the Hall of Public Audience. The mounting guards stand on the right; the ranks of the guards to be relieved are drawn up on the other side. Both ranks salute His Majesty......If any one is absent without proper excuse,......he is fined one week's pay or receives a suitable reprimand."

Bernier gives us fuller information:

"An *umara* must also, in rotation, keep guard in the fortress (*i.e.*, the Emperor's palace enclosure) once every week, during four and twenty hours. He sends thither his bed, carpet and other furniture; the king supplying him with nothing but his meals. These (dishes) are received with peculiar ceremony. Thrice the *umara* performs the *taslim*, or reverence, the face turned towards the royal apartment; first dropping the hand down to the ground, and then lifting it up to the head. (Pp. 214 and 258.)

"The Rajahs (*i.e.*, Hindu mansabdars) never mount guard within a fortress, but invariably without the walls, under their own tents." (P. 210.)

This mounting guard round the royal residence, though it was only for 24 hours in a week, was considered an irksome duty by the nobles, but it was always insisted upon by the Emperors. The provincial governors, however, had no reason for giving themselves royal airs and compelling the military officers of the imperial army posted in the province to do this sentry duty round their residence.

Third. No subject was to require any other person to touch the ground before him with his hand or forehead, or perform the *taslim* and *kurnish*.*

Taslim, or the peculiar mode of salutation followed in the Court of Delhi, was originated by Akbar. "The salutation called *taslim* consists in placing the back of the right hand on the ground, and then raising it gently till the person stands erect, when he puts the palm of his hand upon the crown of his head, which pleasing manner of saluting signifies that he is ready to give himself as an offering" (to the Emperor). Akbar tells us that he once did reverence to his father in this mode by accident, and Humayun was so pleased with it that he ordered it to be adopted as the regular mode of salutation at Court. (*Ain*. i. 158.)

In other Muhammadan countries the mode of saluting the sovereign was different, *viz.*, folding the arms over the breast and then bending the head, and it was the anxious concern of the Emperors of Delhi that foreign visitors (especially the Persian envoys) should salute them according to the Indian method and not after the fashion of their own countries.

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* Also no subahdar was to set up his standards and compel the officers posted under him to bow to them. This salutation was to be done only at the imperial Court in the manner described in my *Studies in Aur. Reign*, ch.

While speaking of *taslim*, I may mention that in April 1670 Aurangzib forbade his Muslim courtiers to make *taslim* to each other. When they met together they were simply to cry out *salam alekum* (Peace be on you!) and not to raise their hands to their heads. (*Masir-i-Alamgiri*, 98, 272.)

Abul Fazl describes the *kurnish* thus:—

"His Majesty has commanded the palm of the right hand to be placed upon the forehead and the head bent downwards. This mode of salutation, in the language of the present age, is called *kurnish*, and signifies that the saluter has placed his head (which is the seat of the senses and of the mind) into the hand of humility, giving it to the royal assembly as a present, and has made himself in obedience ready for any service that may be required of him." (*Ain*. i. 158.)

"Upon taking leave [for one's post] or presentation [at Court], or upon receiving a *mansab*, a *jagir* or a dress of honour, or a horse, the rule is to make three *taslims*; but only one on all other occasions, [as] when salaries are paid or presents made." (*Ibid.*)

Fourth. No *subahdar* was to compel musicians and singers to attend his Court in regular *chauki* after the manner of the imperial *darbar*.

Akbar's practice in this matter is thus described:

"About three hours before daybreak, musicians of all races are introduced [to the Emperor in the Hall of Private Audience.] They recreate the assembly with music and songs, and religious strains; and when four *gharis* (*i.e.*, an hour and a half) are left till morning His Majesty retires to his private apartments [for sleep]...

"Whenever His Majesty holds Court [in public] ...during the whole time, singers male and female are in waiting." (*Ain*. i. 156 and 157.)

"The Court musicians are arranged in seven divisions, one for each day of the week. When His Majesty gives the order, they let the wine of harmony flow." (*Ibid*, 612.)

Aurangzib (in 1667) forbade the practice and dismissed the Court musicians on pension, retaining only the royal band or *naubat*.

Fifth. Beating kettle-drums at the time of setting out on a journey.

The imperial practice in this respect is described by Manucci:

"At the time when he [Aurangzib] mounted the [portable] throne [*takht-i-rawan*] and issued from his tents, all the warlike instruments of music were sounded." (*Storia*, ii. 69.)

When the Emperor took his seat in the Hall of Public Audience, a big drum (called the *damdamah*) was beaten, to give notice to all men that the Court had commenced. (*Ain*. i. 157.)

Late in the reign of Aurangzib the highest nobles began to be rewarded with the right of carrying a standard (*alam*) and kettledrum (*naqqara*) with themselves. But they were not to beat the kettledrum in the imperial camp or capital, nor when holding public *darbar* in their provinces. As a special mark of favour for service of the highest importance, we read of a nobleman being permitted to strike up his kettledrums from the door of the imperial tent as he set out on his expedition.

Sixth. When a subahdar presented a horse or elephant to any one, he was not to require the latter to make obeisance to the donor with the bridle or elephant-goad placed on his back. This had to be done only when the Emperor was the giver.

Seventh. No subahdar should grant any title to any of his officers. The imperial prerogative of conferring titles was so jealously guarded that even vassal princes were not permitted to grant any title of honour to their subjects. In the reign of Shah Jahan it was made a cause of war with Muhammad Adil Shah of Bijapur that he had presumptuously rivalled his suzerain of Delhi by creating his own prime-minister *Khan-i-Khanan ;* but war was averted by a letter of submission and apology from Bijapur.

Eighth. No noble should make any imperial officer walk on foot in his retinue. As Tavernier observes,—

> "When the Emperor goes to the mosque in his *palki* one of his sons follows on horseback and all the princes and officers of the household on foot...... On his return [from hunt] he uses a *palki* and there is the same guard and the same order as when he goes to the mosque." (i. 390 and 392.)

Ninth. The viceroys should not affix their seals to the letters they address to the imperial officers, but only their signatures. The seal and the *panja* (*i.e.*, impression of the palm of the hand dipped in vermilion) on letters and deeds of gift or appointment were proper for the Emperor only. No official, however high, could use them in his letters written to another official, because all of them were equal in status with him in the sense of being equally subordinate to the Emperor. [The rules about the Emperor's seals are given in *Ain.* i. 52 and 263.]

The nobles had to take care not to imitate even the style of the imperial *farmans* in any way in their own letters to their colleagues or subordinates. Thus, in the last years of the reign of Aurangzib, he severely took to task Ghaziuddin Khan Bahadur Firuz Jang, one of the two highest nobles of the realm, for presuming to begin his orders with the phrase, "By the *miracle-working command* of the Khan......it is ordered that..." This was an appropriation of the royal phraseology, and Aurangzib scornfully remarked, on learning of it, that a commander of seven thousand, as Firuz Jang then was, did not possess the power of working miracles. (Hamid-ud-din's *Ahkam,* § 35.) Aurangzib's eldest son Muhammad Sultan, when a boy of fourteen, was censured by his father for having adopted the imperial epistolary style in an unintelligent attempt to model his own letters on those of Akbar as drafted by Abul Fazl. [*Studies in Aur. Reign,* iii. § 3.]

Tenth. No viceroy could pass the sentence of blinding on an offender or cut off his nose or ear.

For theft and certain other offences there was the legal punishment of mutilation (cutting off the hand or hands at the wrist). For murder there was the penalty of death, unless the relatives of the victim were willing to spare the murderer's life by accepting from him the "price of the blood" of the murdered man. [But all these sentences could be inflicted only by the Qazi or Canon Law Judge and not by the civilian magistrate, such as a *subahdar* was.] But the Quranic law does not permit such punishments as putting out a man's eyes or chopping off his nose and ears, though kings sometimes inflicted the former on their political enemies and rivals and the latter on ordinary criminals, in fits of violent anger. These, however were not judicial acts, and subjects had to be restrained from the exercise of such illegal power.

Eleventh. No one was to be forcibly converted* to Islam by any subahdar.

No doubt, prisoners of war were often converted to Islam against their wishes; and sometimes a person condemned to death or lifelong imprisonment could gain his life or liberty, or a claimant might secure the right to an estate in case of disputed succession, by embracing Islam at the instance of the Emperor. But all these conversions were decreed by the sovereign and no lesser person could undertake them. He alone was the commander of the faithful or the supreme executive officer and agent of Islam in the land.

Twelfth. Ordering combats between elephants. This was a very jealously-guarded prerogative of the Emperors of Delhi, many of whom, from Akbar onwards, were very fond of this royal pastime.

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* The term *takhlif-i-musalmāni* has been otherwise interpreted by Beveridge, but I believe wrongly.

Their sons inherited this taste and we have a comic example of Prince Shah Alam being unable to resist the temptation of getting up an elephant-fight during his march from Sarhind and afterwards trying to deprecate his father's wrath by representing it as an accidental encounter between the two beasts!

Between the outer wall of the palace at Agra (as well as Delhi) and the river Jamuna there is a large sandy plain. After the morning salute (*darshan*) was over, this plain was cleared of the crowd and two royal elephants were set to fight each other. As Tavernier remarks, "They have purposely selected this spot near the water, because the elephant which has been victorious being enraged, they would not be able to pacify him for a long time if they did not urge him into the river, to effect which it is necessary to use artifice,"—by attaching fireworks to the ends of spears and setting them on fire in order to drive him into the water. (i. 106.)

In the imperial stables every elephant had his match appointed for fighting. When such a well-matched pair was set to fight, a third elephant, called the *tabanchah*, was kept ready at hand to assist either of the combatants when too severely handled by the other. (*Ain.* i. 131, 467.)

"The two ponderous beasts meet one another face to face...each having a couple of riders that the place of the man who sits on the shoulders for guiding the elephant may immediately be supplied if he should be thrown down. The riders animate the elephants either by soothing words, or by chiding them as cowards, and urge them on with their heels

...The shock is tremendous. There are frequent pauses during the fight ; it is suspended and renewed ...The more courageous elephant attacks his opponent and, putting him to flight, pursues and fastens upon him with so much obstinacy that the animals can be separated only by means of fire-works which are made to explode between them." (Bernier, 276-277.)

This royal pastime was usually attended by injury to limbs and loss of life to the drivers and the spectators.

"It frequently happens that some of the riders are trodden underfoot, and killed on the spot, the elephant having always cunning enough to feel the importance of dismounting the rider of his adversary, whom he therefore endeavours to strike down with his trunk. So imminent is the danger considered, that on the day of combat the unhappy men take the same formal leave of their wives and children as if condemned to death." (Bernier, 277.)

Manucci observed the same thing,—

"When the king makes the elephants fight, the wives of the drivers remove their ornaments, smash their bracelets, and put on mourning, just as if they were widows. If their husbands come back alive, they give a great feast, just as if newly married." (*Storia*, ii. 364.)

The men's reward for thus risking their lives was a bonus of copper coins worth six Rupees and a quarter—equivalent to their pay for a month or two —presented to them in a bag as soon as the fight was over. (*Ain*, i. 131 ; Bernier, 277.)

Nor was this the only risk. "It often happened that some of the spectators were knocked down and trampled upon by the elephants, or by the crowd ; for the rush was terrible when, to avoid the infuriated combatants, men and horses took to flight." (Bernier, 278.) Readers of Mughal history will remember how Aurangzib, when a lad of fifteen, was unhorsed by such an unmanageable fighting elephant and put in imminent danger of death, but he saved his life by his wonderful coolness and courage. (The incident is fully described in Hamid-ud-din's *Ahkam*, § 1.) Aurangzib punished an officer for having made two elephants fight before him. (Ishwardas, 144*b*.)

The above are the twelve prerogatives of the Crown as laid down by Jahangir.

We learn of four more from other sources.

Thirteenth. Bernier (p. 378) tells us that the hunting of the lion was a peculiarly royal pastime, "for, except by special permission, the king and the princes are the only persons who engage in the sport." He gives a full description of this game (pp. 378—380), the bait being an ass, and the gorged lion being enclosed within net walls and shot by the Emperor from an elephant's back.

Fourteenth. No subject, when holding office or giving audience, should sit on a higher level than the carpet on the floor of the hall,—(or, according to *Baharistan*, more than half the human stature above the ground).

About 1695 Aurangzib learnt from a news-writer that "Ibrahim Khan, the governor of Bengal, in excess of pomp and pride, used to hold court sitting on a couch (*charpai*), while the qazi and other officers of Canon Law had to sit in humility on the floor. The Emperor immediately sent a sharp letter to the governor, telling him that if he was unable to sit on the ground by reason of any disease, he should urge his doctors to cure him soon." (Hamid-ud-din's *Ahkam*, § 64.)

Even the princes of the blood were no exception to this rule. A few years after the above incident, Shah Alam, the eldest surviving son of the Emperor, offended his father in the same way and received swift punishment for it, which I shall describe in the words of Hamid-ud-din Khan:

"From the news-letter of the province of Kabul the Emperor learnt that Muhammad Muazzam Bahadur Shah when holding Court used to sit on a platform raised one yard above the ground. The Emperor wrote on the page of the report—

(*Verses*) 'It is not by mere wishing that our
works are done.
God's grace is necessary in every thing.
You cannot secure the seat of great ones
by mere rash acts...

Two strict mace-bearers should be sent to make him get down from his seat in open court and to dismantle the platform'." (*Ahkam*, § 15.)

The procedure at the Emperor's darbars was that he entered the high balcony abutting on the *Diwan-i-am* (Hall of Public Audience) by a door connected with the harem, and then took his seat on his throne which stood in that high recess—or in the midst of the hall, when the darbar was held in a tent. "His Majesty's sons and grandsons, the grandees of the Court, and all other men who have the *entree*, attend to make the *kurnish*, and remain standing in their proper places,—according to their rank, with their arms crossed." (*Ain.*, i. 157, 160; Tavernier, i. 99.)

The Emperors, however, often permitted their sons to sit down in their presence, by special command. (*Ain.* i. 160; *Storia*, ii. 191.)

Fifteenth. The Emperor alone could go in a *palki* to the Public (*Jama*) mosque, to say his Friday prayers. At the very end of Aurangzib's reign, Ibrahim Khan, the viceroy of Gujrat, was reported against as riding to the Jama Masjid in a *palki*, though even the princes could not do so without the special permission of the Emperor. Aurangzib wrote to this *subahdar*, "Why should you do an act which gives a handle to the report-writer to complain against you?" (*Ahkam*, § 65.)

Sixteenth. Weighing the body against gold (*tula*) was a royal prerogative, though the Emperor sometimes permitted it in the case of a favourite son. (Abdul Hamid's *Padishahnamah*, ii. 377; *Tuzuk*, 163.)

CHAPTER VIII

The Sovereign as the Head of Religion

§ 1. The religious function of the Sovereign in a Muslim State.

Examples are numerous in Oriental history of sovereigns claiming the position of the spiritual leader of their people. It may have been due to the natural vanity of man or to the astute political design of securing to one's self the supreme authority in Church and State alike, and thereby making the sovereign's position unassailable, or to a combination of both these motives. The lord of half a million swords does not feel happy unless he can flatter himself that he has won the unforced love and spontaneous obedience of his subjects. He has a natural weakness for thinking that he is not as other men are, that he is akin to the gods, and that he rules by a divine right as a semi-divine being. Flatterers had instilled the same idea into the minds of the Roman Emperors and the Stuart kings of England.

It found an easier lodgement in the Islamic State. That State is a theocracy, and its sovereign, in strict theory, is God's representative on earth. He is the commander of the faithful in the battlefield and the public prayer alike. He is the only Khalifa of the time, and if he is worthy of his position then the mantle of the Arabian Prophet has descended on him, and he ought to be not only the leader of the national

army but also the highest living exponent of the faith (*mujtahid*) and leader in prayer (*Imam.*) Only the military type of the State and exigencies which made a rude unlettered soldier instead of a deeply-read theologian the only successful sovereign in most Islamic lands throughout the middle ages, prevented this claim from maturing. The actual experience of a long series of centuries gradually disabused the public mind of the idea that the Sultan was necessarily also the Mujtahid or Imam. But he might be so.

§ 2. Popular longing for the advent of a Superman guide.

Anthropomorphism or the worship of God in the form of man, is the besetting sin of the Aryan race. The Persians could not shake it off even after their conversion to a strictly monotheistic religion like Islam, and the variety of incarnations adored by the Persian people along with Islamic tenets proves how fertile a field for man-worship Iran is. We find a full account of these religious movements in Browne's *Literary History of Persia* (Vol. I. Ch. 9). Sufism, to which the Persians among all Islamic races have made the largest contribution, also favours the recognition of inspired or superhumanly gifted spiritual preceptors.

The *Insan-i-kamil* or Perfect Man is the title given by Muhammadan mystics to the highest type of humanity, *i.e.*, the theosophist who has realised his oneness with God. This theory of the Perfect Man is based on a pantheistic monism which regards the Creator (*al Haqq*) and the creature (*al Khalq*) as complementary aspects of Absolute Being,—or as a Hindu would say the *Purusha* and the *Prakriti* are two aspects of one and the same thing. "Man," as an Arabian mystic writes, "unites in himself both the form of God and the form of the universe...He is the mirror by which God is revealed...We ourselves are the attributes by which we describe God; our existence is merely an objectification of His existence."...The Perfect Man, who typifies the emanation of Absolute Being from itself and its return into itself, moves upward through a series of illuminations until he ultimately becomes merged in the Essence,... when the seal of deification is set upon him. He now becomes the Pole-star (*Qutb*) of the universe, and the medium through which it is preserved; he is omnipotent, nothing is hidden from him; it is right that mankind should bow down in adoration before him, since he is the vicegerent (*Khalifa*) of God in the world (*Quran*, ii, 28). Thus, being divine as well as human, he forms a connecting link between God and created things. According to orthodox Muslims this representative Superman is the Prophet Muhammad...Al Jili holds that in every age Muhammad assumes the form of a living saint, and in that guise makes himself known to mystics. [*Encyclo. Islam*, ii. 510.]

So much for the craving of the Sufistic Muslims in general and the men of the Persian race in special, for a divine teacher in a human form in their own age. The Hindu is even more ready to welcome an *avatar*, because it is his creed that such avatars have appeared by the million in the past and God is sure to incarnate Himself when the age requires it by reason of its excess of sin and the agony of spiritual hunger unsatisfied by the existing teachers. (*Bhagabat-Gita*.)

§ 3. Akbar claims to be a divine agent.

While earnest believers were expectant for such a superman *guru* or Lord of the Age (*Sahib-i-zaman*), it would be in accordance with human nature to find that there was a vast number of interested people who wished to secure material gain by professing religious adoration to the sovereign, as the cynical Al Badayuni has pointed out.

The religious atmosphere of India was quivering with electricity in the first half of the 16th century. Chaitanya and Nanak preached and converted during this period, and their new creeds, by supplying the exact spiritual needs of the age, became realm-conquering movements within India. Other movements, deviating from the old orthodox faith, also arose in India, as has been clearly shown by Blochmann in the Introduction to his translation of the *Ain-i-Akbari*, Vol. I, particularly the Mahdavi sect, *i.e.*, men on the look out for a new Mahdi or Supreme spiritual guide. [The Mahdavi sect lingered in Bijapur well beyond the middle of the 17th century and still flourishes in Gujrat.] *Ency. Isl.* iii. 111.

The Emperor Akbar was led to claim this position, partly by his natural vanity, but more by the flattery of his favourites, as Al Badayuni has pointed out.

Though illiterate, he secured his own recognition as the *mujtahid* or infallible interpreter of the *Quran* and of all disputed points of Islamic theology (1579). His coquetry with Hinduism, his long and secret conversations with famous Hindu sannyasis and pandits, his edict of toleration for all Hindu practices, and finally his adoption of several Hindu rules of conduct and ceremonies, led the Hindus to regard him as one of themselves. They styled him *Jagat-guru,* or the spiritual guide of the universe, while the coterie of his Muslim adorers (mostly Persians) called him the *Insan-i-kamil* and the *Sahib-i-zaman.*

As the religious guide of his subjects, Akbar adopted, at first secretly and cautiously, many of the attributes and prerogatives of a prophet and even of an incarnation. It excited the intense disgust of his orthodox Muslim subjects and was often checked by the fear of a revolt of the Muslim soldiery at the call of the old-type Mullas.

§ 4. How Akbar was adored as a religious guide.

I quote from his courtly flatterer Abul Fazl :—

"Whenever, from lucky circumstances, the time arrives that a nation learns to understand how to worship truth, the people will naturally look to their king,...and expect him to be their spiritual leader as well ; for a king possesses, independent of men, the ray of divine wisdom...Now, this is the case with the monarch of the present age...Men versed in foretelling the future knew this when his Majesty was born, and they have since been waiting in joyful expectation.

"His Majesty, however, wisely surrounded himself for a time with a veil, as if he were an outsider or a stranger to their hopes. But can man counteract the will of God? He could not help revealing his intentions...He is now the spiritual guide of the nation. He has now opened the gate that leads to the right path and satisfies the thirst of all that wander about panting for truth.

"Men of all nations, old and young, friends and strangers, the far and the near, look upon offering a vow to his Majesty as the means of solving all their difficulties, and bend down in worship on obtaining their desire when his Majesty leaves the Court, there is not a hamlet town or city that does not send forth crowds of men and women with vow-offerings in their hands and prayers on their lips, touching the efficacy of their vows [made to the Emperor] or proclaiming the accounts of the spiritual assistance received [by secretly praying to him]...His Majesty gives satisfactory answers to every one, and applies remedies to their religious perplexities. Not a day passes but people bring cups of water to him, beseeching him to breathe upon it...Many sick people whose diseases the most eminent physicians pronounced incurable, have been restored to health by this divine means.

"Notwithstanding every strictness and reluctance shown by his Majesty in admitting novices, there are many thousands, who have cast over their shoulders the mantle of belief, and look upon conversion to the

New Faith as the means of obtaining every blessing." (*Ain*. i. 163-165.)

The initiation ceremony and rules of life of the members of this new sect are described in the *Ain-i-Akbari,* i. 165-167, and I need not quote them here.

In addition to the *kurnish* and the *taslim* which all persons presented at Court had to make to the sovereign, the disciples of Akbar had to perform the *sijdah* or prostration by bowing down the forehead to the ground. This is an exercise performed at the Muslim prayer, and therefore the orthodox regarded it as a ceremony exclusively due to God. Akbar yielded to the public discontent and very prudently restricted the prostration to the hall of private audience. Its popular name was *zamin-bos* or kissing the ground before the throne. This abject mode of showing respect prevailed in ancient Persia as well as the Hindu States. Religious leaders are entitled to it, as we see daily around us. Abul Fazl justifies it by saying that "They look upon a prostration before his Majesty as a prostration before God ; for royalty is an emblem of the power of God." (i. 159).

It was a practice intensely hateful to the Muslims, and though Jahangir continued it, Shah Jahan had to yield to public opinion and abolished it at his accession.

The *darshaniyas,* or men who did not begin their day's work nor break their fast without first gazing on the Emperor's face as on an idol in the morning, —formed another sect of his worshippers, and they followed a special set of rules. (*Ain,* i. 207.)

Even the slaves of the imperial household were, in name at least, converted into the Emperor's disciples. As the Court-historian writes,

"His Majesty, from religious motives, dislikes the name *banda* or slave ; for he believes that mastership belongs to no one but God. He, therefore, calls this class of men *chelas,* which Hindi term signifies a faithful disciple. Through his Majesty's kindness, many of them have chosen the road to happiness (*i.e.* embraced the divine faith of Akbar)". (*Ain.* i. 253.)

§ 5. Religious titles of the Emperor.

The tradition of the Emperor being the spiritual guide of the people and of his initiating personal disciples, continued in Aurangzib's reign, though that Emperor attracted men by his reputation for strict orthodoxy, ascetic rigour of life and power of working miracles, for which he was called *Alamgir, zinda pir* ! or 'Alamgir the living saint.' In 1690, when the Emperor was encamped at Badri on the bank of the Krishna, Salabat Khan the *Bir-i-tuzuk* presented to him in the court of justice a man, who said, "I have come from the far-off land of Bengal, wishing to be your Majesty's disciple. I hope that you will favour me by granting my desire." Aurangzib smiled a sarcastic smile and gave the Khan about Rs. 100 in cash and some bits of gold and silver to be presented to the man, saying, "Tell him that the favour he is really expecting from me is *this* !" The man flung the money away and threw himself into the river. He was rescued by the Court attendants.

The Emperor ordered him to be taken to a famous Muslim scholar of Sarhind, with a request to admit him as a disciple. (*Masir-i-Alamgiri*, 333-334.)

As a token of the religious veneration paid to the Emperors, they continued throughout the Mughal period to be addressed by their sons and subjects with epithets characteristic of prophets, such as *Qibla wa qaba*, i.e., the central point to which the faithful must turn in prayer, like the Black Temple at Mecca or Solomon's Temple at Jerusalem, the *Qutb* or Pole-star of the faith, and *Pir wa murshid-i-alam-wa alamian* or *du-jahan* or *din wa dunia*, i.e., the spiritual guide and preceptor of the world and its inmates, or of this world and the next.

In imitation of Akbar, his contemporary, the Bijapuri Sultan Ibrahim Adil Shah II, took the title of *Jagat-guru*. He is popularly said to have inclined to the Hindu faith and practices, lived on milk and even worshipped the Hindu god Narsoba in a small temple on the western edge of the inner ditch of the citadel of his capital. His Muslim historian has taken pains to rebut the charge that he apostatized from Islam (*Busatin-us-Salatin*, 259-260, 264), but admits that in popular speech he was called *Jagat-guru*. [Also *Bombay Gazetteer*, xxiii, 636.]

The Mughal Emperor, as we have seen, claimed to be *Jagat-guru* or world's Supreme Religious Head. But this Pope was married, and it would have been inconsistent if his principal wife did not partake of his spiritual attributes. Thus we find that Jahangir's wife, a Jodhpur princess and the mother of Shah

Jahan, was styled the *Jagat Gosaini*, or female Pope of the World! (*Tuzuk-i-Jahangiri*, 5.)

There are many historical parallels to this aspect of the Mughal monarchy. The Abbasid Khalifs of Baghdad rose to the throne on the crest of a religious movement in favour of the family of Ali and they claimed the spiritual homage of the Muslim world by reason of their descent from the prophet's family as completely as the political allegiance of their subjects.

So, too, the Safavi dynasty of Persia at first created an influence and a strong following by posing as religious leaders, and then easily seized the throne of that country. The Sikh *gurus* began as religious guides pure and simple, and ended by becoming warriors and rulers of men. Even now they are designated as the 'ten Padishahs' by their votaries.

§ 6. Aurangzib as the champion of Sunni orthodoxy ; Shias persecuted.

Apart from the position of *Jagat-guru* or the direct and personal religious preceptor of his subjects or an inspired and miracle-working saint, which was aspired to by Akbar and Ibrahim Adil Shah, and that of a darvish on the throne or living saint by which title Aurangzib loved to be called,—the Mughal Emperor, by constitutional law, filled the office of the executive head of the dominant creed. As the "Khalifa of the Age" it was his duty to enforce the orthodox faith, which was the Sunni form of Islam. Political considerations and the legacy of his more tolerant predecessors compelled Aurangzib to use the talents of many Shias,—both of Persia and Central Asia,—but their lot was not a happy one. In the war of succession with his brothers in the earlier years of his reign, he had owed much to Mir Jumla, a Shia ; but in his old age his bigotry was intensified and made his Court no place for this sect. We find many illustrations of the anti-Shia feeling in this Emperor's letters and even in the official history of his reign.

To him a Shia was a heretic (*rafizi*), and he usually calls the Persians carrion-eating demons (*Irani ghul-i-bayabani*) ; but this tone may have been partly due to his political rupture with the Safavi Shahs. In one of his letters he tells us how he was pleased with a dagger presented to him by a noble man, which was named *Rafizikush* or Shia-slayer, and ordered some more of the same shape and *name* to be made for him. [*Ruqaat-i-Alamgiri,* 133.]

The result was that his Shia officers had to practise hypocrisy in order to save themselves.

Sarbuland Khan, a grandson of a king of Badakhshan, was Aurangzib's second Bakhshi from 1672 to 1679. Once his Majesty complained that Sarbuland's words savoured a little of Shiaism, to which the Khan replied, "Yes, many of the Sayyids of Bukhara belong to this sect. My speech still bears traces of the effect of my former association with them. But I have not been confirmed in this faith. Through ill luck, I have withdrawn myself from this creed but not yet attained to that!" This Sarbuland Khan, we are told by the same authority, used to favour the Persians and recommend them to the Emperor for high offices. Though Aurangzib distrusted that race, he was forced to employ them on account of their unrivalled ability in book-keeping and finance. [Hamid-ud-din's *Ahkam,* § 38 and 39.]

The position of the Shia nobles in Aurangzib's Court was bad enough on account of their master's orthodoxy ; but it was rendered worse by the jealous hostility of the Sunni nobles, most of whom belonged to a different race, named the Turani (Central Asian) or Afghan. Indeed, in the 18th century, the Persian and Turkish parties—or the Iranis and Turanis, as they were called,—were sharply divided at the Mughal Court, just as they had been under the Bahmani Sultans of the Deccan in the 15th, with disastrous consequences to the latter. Even European visitors like Bernier and Manucci could not fail to notice the antagonism of interest and sharp contrast of policy between these two races in the Delhi imperial service, especially when an embassy from Persia was expected [*Storia do Mogor,* ii. 50-53, Bernier, 146-153]. Marriage did not tend to heal this sectarian conflict, because the Shias naturally liked to marry within their own circle, and Sunnis were known to have refused the hands of Shia brides. Thus, we learn from Hamid-ud-din Khan's *Ahkam* that Ruhullah Khan I, the Paymaster-General of Aurangzib (1686-1692), made a will on his death-bed, declaring that he had renounced the Shia faith for Sunnism, and requesting the Emperor to give his two daughters in marriage to Sunnis. Now, though this Ruhullah Khan was very highly connected,—his mother being a sister of the Emperor's mother,—the hand of his daughter was refused by Siadat Khan, a petty nobleman, who asked, "How do we know that she too holds the Sunni faith? In case she persists in her ancestral religion (*i.e.*, Shiaism), what can be done?" (*Ahkam* § 69.)

The Emperor, too, doubted the sincerity of Ruhullah's alleged conversion to Sunnism, and this surmise was proved true. The Khan, on his death-bed had requested the Emperor to send the imperial qazi (a Sunni) to wash and shroud his corpse. But the qazi, on reaching the Khan's house after his death, was given a letter in which the dying man had begged him to delegate his burial arrangements to his confidential servant Aga Beg. The qazi knew this man to be a Shia theologian and priest disguised as a servant, and reported the new development of the case to the Emperor. Aurangzib replied in an indignant tone:—

"Let the qazi come away from the house. The late Khan had made deception his habit in life, and at the time of his death too pursued the same detestable sin. What concern have I with anybody's religion? Let Jesus follow his own faith and Moses his own!"

But the Shias had good reasons for concealing their faith from him.* In one letter of Aurangzib

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* On 3rd Nov. 1672, an old servant of the days before Aurangzib's accession was beheaded for cursing the first three Khalifs. (*M. A.* 120.) The Emperor objected to

we read how he was alarmed at the coincidence that the paymaster and two *nazims* of Lahore were Shias, and immediately ordered that the former should be transferred elsewhere. (*Kalimat-Tay.*, 16*a*.) Very late in his reign, he objected to the practice of sending the bones of rich Shias secretly after death to Karbala and Mashhad for burial. This he regarded as a superstition, (*Ibid*, 12*a*), though he himself practised the gross idolatry of adoring the Prophet's bogus footprints on stone and his hairs (*asar-i-sharif*.)

§ 7. Education in Muslim India.

In Mughal India, as in mediæval Europe, education was a branch of religion, and the educational expenditure of the State was defrayed out of the Alms Fund and through the hands of the imperial Almoner (*Sadar-us-sadur*.) The vast non-Muslim population was outside the pale of State charity. We have a *farman* of the earlier part of Aurangzib's reign which illustrates this arrangement. He instructs the *diwan* of Gujrat that every year

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making the word *Ali* a part of any newly-created noble's title. (*M. A.* 313.) In one letter he narrates with approval the story of how a Sunni murdered a Shia at Isfahan and escaped to safety! (I. O. L. 1344, *f.* 34*b*.) He orders that Persians newly arrived in India should not be posted to any of the ports on the West Coast. (*Kalimat-Tay.* 141 *a*.) Many instances of the bloody persecution of the Shias, on the charge of blasphemy (against the first three Khalifs), in Aurangzib's reign are given in the *Tarikh-i-Kashmiri Azami*.

teachers should be appointed at the cost of the State and stipends paid to the students according to the recommendation of the Sadar of the province and the attestation (*tasdiq*) under seal of the teacher. The money was to be paid out of the Public Treasury. The grant was very small, as we read of only three *maulavis* being appointed, one at Ahmadabad, one at Patan and a third at Surat, and only 45 students enjoying the subsistence allowance. [*Mirat-i-Ahmadi*, i. 258.]*

The monasteries (*khānkas*) when not endowed by private donors, received larger subsidies from the Government, and they were expected to play the part of the Cathedrals of Christendom in fostering theological learning and general education. The Delhi Government gave allowances to families of famous scholars (who taught pupils in their own houses) at Sarhind, Sialkot and some other towns. But these schools died out when the families ceased to produce learned men.

We may conclude our remarks about learning in Mughal India, by referring to the allied subject of the Court poets. These were Persians born in Iran. By all the Emperors except the puritanical Aurangzib they were highly patronised and well rewarded for their odes. Such odes had to be written to order to celebrate victories, royal marriages, coronation, birth-day and other Court festivities, and to supply inscriptions (*kutaba*) for the Emperor's favourite buildings or chair of State. One of these poets received a purse of Rs. 10,000 for a four-line epigram describing how a trained leopard struck down a wild buffalo before the Emperor Jahangir. [*Tazkira-i-Sarkhush.*]

These poets, in the 17th century, were closely related by birth or marriage to the Court physicians, who were mostly Persians. A run-away physician of the Shah of Persia was sure of a cordial welcome at the Court of Delhi. [Abdul Hamid's *Padishah-namah*, ii. 367--'8 ; *Alamgirnamah*, 45.]

Even the ladies of these Persian families of poets and doctors were learned and accomplished persons and they were employed in the imperial harem to teach the princesses and to superintend the distribution of the Emperor's alms to women. In the last capacity the officer was called *Sadar-un-nisa* or 'Almoner for women'. The life of *Siti-un-nisa*, the friend of the Empress Mumtaz Mahal and governess to her daughters, gives us a charming picture of culture within the harem in the glorious times of Shah Jahan. [See my *Studies in Mughal India*, pp. 21-26.]

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* Cf. In Morocco the Government expenditure on education was limited to allowances to some *ulama*. Nothing was done for public health,—a few hospitals were to be found in certain towns where a few miserable creatures lived in filth, receiving from the *hubus* and the charity of the public barely enough to prevent them from dying of hunger. [*Ency. Isl.* iii. 170.] Egypt had one grand college, Al Azhar.

CHAPTER IX

The Position of the Aristocracy

§ 1. Escheat of every noble's property.

European travellers were struck by a peculiar institution in the Mughal empire, *viz.*, the seeming absence of hereditary property among the nobility. As Captain Hawkins remarked in 1608,

"The custom of this Mughal Emperor is to take possession of his noblemen's treasure when they die, and to bestow on their children what he pleaseth ; but commonly he dealeth well with them, possessing them with their father's land, dividing it amongst them : and unto the eldest son he hath a very great respect, who in time receiveth the full title of his father." (Purchas, iii. 34.)

Here we must bear in mind that with the exception of vassal kings and zamindars there were no hereditary landholders in Mughal India. All the nobility were mere servants of the State and held their fiefs on service tenure ; their lands, naturally, lapsed to the State on their death. But why was their personal property escheated?

Bernier stigmatises this custom as barbarous and describes its effects thus :

"The barbarous and ancient custom obtains in this country, of the king's constituting himself sole heir of the property of those who die in his service." (P. 163.)

"As the land throughout the whole Mughal empire is considered the property of the sovereign, there can be no earldoms, marquisates or duchies. The royal grants consist only of pensions either in land or money [*i.e., jagir* and *tankha,*] which the king gives, augments, retrenches, or takes away at pleasure......The *umarahs* of Hindustan cannot be proprietors of land, or enjoy an independent revenue, like the nobility of France. Their income consists exclusively of pensions which the king grants or takes away according to his pleasure. When deprived of this pension they sink at once into utter insignificance." (Pp. 5, 65.)

"The king being heir of all their possessions, no family can long maintain its distinction, but after the *umarah's* death is soon extinguished, and the sons, or at least the grandsons, reduced generally to beggary and compelled to enlist as mere troopers in the cavalry. The king, however, usually bestows a small pension on the widow, and often on the family, and if the *umarah's* life be sufficiently prolonged, he may obtain the advancement of his children by royal favour." (Pp. 211-212.)

We find in the letters of Aurangzib such passages as the following, which may startle the reader unaware of the real state of things in that age : "Amir Khan [the governor of Afghanistan for 20 years] is dead. I, too, shall die. Write to the *diwan* of Lahore to attach the property of the deceased with extreme diligence and effort, so that nothing great or small, not even a blade of grass, may escape. Get information from outside sources and take possession of everything found at any place whatever, as this is the rightful due of God's slaves." (*Ruqaat-i-Alamgiri*, letter 99.)

There was a regular department of the State, called *Bait-ul-mal*, where the property of all persons dying without heirs was deposited. The property of the nobles and officers of the State after their death was also escheated and kept in this department.*

§ 2. Reason of the escheat of private property after death.

The reason alleged for this act of seeming spoliation was that all officers were in debt to the Government, having taken money and things in advance or enjoyed the revenue of their jagirs, without clearing their account with the State by setting off against these advances the amounts earned by them by their services and the number and equipment of the men kept in arms by them for the Emperor. Such making out of military accounts was a very slow affair and was hardly ever completed in the life-time of any officer. Again, the exact salary earned by a general could be ascertained only after he had brought his contingent to the muster (*dagh wa tashiha*), when the horses were passed and branded and the retainers were identified by their descriptive rolls (*chihra*). This took time and was never satisfactorily done except in peace time. We often read of officers being excused the *dāgh* ; *i.e.*,

paid without holding the regular muster and inspection of their troops, in times of pressing need or trouble.

Military accounts,, especially in an age when wars are frequent, are naturally kept very badly and take many years to be written up and audited. Even under the East India Company, as late as the middle of the 19th century, the salaries of the English soldiers who had taken part in the First Sikh War remained unadjusted for a long time, and they were paid in full only after three or four years. (Bancroft's *From Recruit to Staff Sergeant.*)

In Mughal India the case was worse. The dilatoriness and dishonesty of the clerks of the military pay-office were the despair of the soldiery. Shihabuddin Talish, an officer under Mir Jumla and Shaista Khan in Bengal (1659—1665), draws a vivid picture of the trouble which the soldiers had to undergo on this account. He writes, "I strongly hope that some one would fully and freely report to the Emperor the distress among the soldiery and the fact of their being harassed and crushed by the oppression of the thievish clerks......The army is treated by the Hindu clerks and drowsy writers as more degraded than a fire-worshipping slave and more unclean than the dog of a Jew." Then follow graphic details of how the stipend-holders "had to flay themselves in the *kachari* before they could get their dues." [Bodleian MS. 589, *f.* 129*b*-131*a*.]

Manucci illustrates the power and insolence of the clerks of the military pay-office by means of this anecdote :

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*The *Manual of Officers' Duties* and *Mirat*, ii. 185, call the latter kind of property *amuāl*, so that the whole department was called *Bait-ul-māl wa āmuāl*.

"In Shah Jahan's time a soldier went to draw his pay and the official could not attend to him at once as he was busy. The angry soldier threatened him at once saying he should have to smash his teeth with his sword. The official said nothing, and paid him......The sharp-witted scribe, to get his revenge for the menace, wrote in the book where was entered the soldier's descriptive roll that he had lost two of his front teeth......Some months elapsed and the soldier appeared again for his pay. The clerk opened the book, and found by the description that he was not the man entitled to that pay, for he had two front teeth more than were recorded in the descriptive rolls. The soldier was put to confusion ......he was obliged to have two front teeth extracted to agree with the record, and in that way got his pay." (*Storia*, ii. 449.)

Thus the military accounts could never be cleared, and no officer's exact dues and liabilities to the State could be ascertained in his life-time and hardly even after his death. Under the circumstances the safest course for the Emperor was to escheat the dead man's property immediately after his death, and then think of settling his account with the Government Treasury.

Thus, Maharajah Jaswant Singh, owed a heavy sum to the State, and in 1670, when he was appointed *subahdar* of Gujrat for the second time, it was stipulated that he would refund to the State two *lakhs* of Rupees every year, till his debt was cleared. (*Mirat-i-Ahmadi*, i. 277.)

In 1678 the Emperor learnt from the *diwan* of Bengal that Shaista Khan, the viceroy of the province, had drawn from the Treasury one *kror* and 32 *lakhs* of Rupees in excess of his pay for twelve months. The amount was ordered to be entered as a loan to him. (*Masir-i-Alamgiri*, 170.) Again, in 1683 the *diwan* reported that the Emperor had ordered 52 *lakhs* of Rupees spent in the Assam expedition to be recovered from Shaista Khan, but that nobleman had replied that only 7 *lakhs* had been so spent and that the rest of the amount was an advance for Bengal. The Emperor then modified his order, by demanding the refund of 7 *lakhs* only. (*Ibid*, 234.)

§ 3. Emperors' ordinances about escheat of nobles' property.

Thus, we find that it was the invariable practice of the Mughal Government to confiscate to the State, at least temporarily, the property of every one of its servants immediately after his death. Though it was in effect an act of spoliation, the theory was not so shamelessly immoral. The Emperors never claimed to be heirs of any dead subject's property unless he died without leaving personal issue or legal heirs. [And even then, in theory the property belonged to the Muslim community and not to the sovereign himself.] They only wanted to ensure the payment of their dues from the dead man, who had been their servant and taken advances and loans from them.

Among the twelve ordinances issued by Jahangir on his accession in 1605 was one to the following effect: "When any infidel or Musalman died in any part of my dominions, his property and effects were to be allowed to descend by inheritance, without interference from any one. When there was no heir, then officers were to be appointed to take charge of the property, and to expend it according to the law of Islam, in building mosques and sarais, in repairing broken bridges, and in digging tanks and wells." (*Tuzuk*, 4.) But it is not clear from this whether he gave up the system of confiscating the property of deceased servants of the State, especially if they had running accounts with the Treasury. Aurangzib's *farman* on the subject, dated 24th July 1666, is more explicit. He instructs the provincial *diwans* thus: "Whenever a servant of the State dies leaving no heir and owing nothing to the Treasury on account of advances (*mutaliba*) made to him, deposit his property with the store-keepers of the *Bait-ul-mal*. If he owes anything to the State, then take only the amount due and place the rest of his property in the *Bait-ul-mal*. If he has left any heir, attach his property three days after his death. If the property exceeds the amount of his debt to the State, take that amount only and deliver the balance to his heir after the latter has legally established his right. If the dead man owed nothing to the State, give his whole property to his heir, after legal proof." (*Mirat-i-Ahmadi*, i. 266.)

This is a very upright and reasonable rule. Manucci, however, asserts that it was never really followed by Aurangzib. He says of this Emperor:

"He seizes everything left by his generals, officers, and other officials at their death, in spite of

his having declared that he makes no claim on the goods of defunct persons. Nevertheless, under the pretext that they are his officers and are in debt to the Crown, he lays hold of everything. If they leave widows, he gives them a trifle every year and some land to furnish a subsistence." (*Storia*, ii. 417.)

A careful examination of the records of Aurangzib's reign shows that Manucci's charge is not true. No doubt there was heart-breaking delay in adjusting and auditing the running account of every dead nobleman with the State, and during this prolonged interval his property was kept under lock and seal in the *Bait-ul-mal*, but not intentionally for ever nor out of an unjust love of spoliation. Thus, we read that when Shaikh Muhiuddin, the *Sadar* of Gujrat and *amin* of *jaziya*, died, his property was not confiscated because his son Akramuddin stood security for his father's dues to the Public Treasury. (*Mirat-i-Ahmadi*, 319.)

That Aurangzib's ordinance of 1666 was not a false pretence, can be inferred from the fact that in the latter days of the empire, it is stated among the duties of the *buyutat* that he was the officer for attaching and making a list of the property of deceased persons in order to secure payment of the dues of the State as well as to safeguard the property for the heirs of the deceased.

Again, the *Zawabit* gives a list of the properties actually under escheat in the year 1691; and here we find only the properties of noblemen who had died within the preceding eight years and not earlier (69*a*-71*b*.) This may be easily explained by the supposition that the accounts of these nobles had not yet been completely made up, and the escheat was therefore provisional or *pendente lite*.

§ 4. Principles involved in the rule of escheat.

From a careful study of the Mughal practice of escheating noblemen's property after their death and Aurangzib's rules and actual practice in this matter, I am impressed by the belief that here we have the Quranic law of the sacredness of private property superimposed upon an older and alien institution, namely the communal ownership of all property among a nomadic tribe.

The Turks, as the so-called Pathan and Mughal rulers of Delhi really were by race, were originally a nomadic people and they retained the essential characteristics of nomads to the end, though thinly veiled under the pomp and institutions of empire. Such a tribe migrates from pasture to pasture, conquers fresh lands and accumulates plunder and slaves under the leadership of their chieftain and with the solidarity of a family and an army in one. Their chieftain is the patriarch of the clan, and the individual members of the tribe (or, more correctly, the heads of the different families) are merely the limbs of the great trunk of the tribe. They derive their strength from the tribe and render up their acquisitions to it as the property of the tribe. The tribe might gain accessions to its number from outside by marriage (as among the Brahuis) or by the adoption of slaves, but the newcomers are made a part and parcel of the tribe as if born to it.

The most adventurous spirits among the tribe, when settled in a country like India, received an advance of men and money from their chieftain, carved out conquests or brought in plunder, and enjoyed these during their lifetime. But when they died, all their acquisitions legally lapsed to the Government, because they had really been the factors or *entrepreneurs* employed and financed by the tribal State. This practice and tradition of the homeland of Turan continued under the Mughal empire in India. There was no nobleman who was not a servant of the State, a holder of *mansab* or rank in the army. He received advance of money (*musaidat*) and materials (*ajnas*) or other payment on account from the Public Treasury, and his business was to achieve fresh gains for the State by employing these means, and in the end he was to be rewarded by his grateful employer with a share of the profits. Therefore, all his acquisitions were legally bound to revert to the State, as the earnings of a Christian monk must to the order to which he belongs, and those of an *entrepreneur* of industry must to the fund of the joint-stock company that he serves. By the essence and fundamental theory of the Turkish social and political organisation, private property on the part of a State official was as inconceivable as that of a Catholic monk or a factory manager within the factory.

The whole history of the Muslim period in India —in the Deccani States as well as in the Delhi monarchy—illustrates the expansion of Islamic dominion through the individual efforts and initiative of private adventurers, financed by the State and backed by all its regular forces in the case of a reverse,—and rarely through the operation of the salaried servants of the Crown acting under the direction and control of the central Government.

Therefore, the State claimed what was left of a life's acquisitions due to its own sanction, money aid, and armed support. The empire was communal property, and the Amir, Sultan or Padishah, as the Commander of the Faithful, was entitled to escheat all the earnings of the officers in this army of Islam. He was only the trustee of the rights of the Sovereign Congregation (*jamait*) of true believers, as the tribal patriarch had been in the days before their conversion to Islam. Whether the nomadic society was patriarchal (as before Islam), or theocratic (as under Islam), property was equally communal.

This basic idea of the Turkish State could not be reconciled with the more modern notions of the sacredness of private property and the responsibility of the king before God to see that none was robbed of his heritage,—which are a part of Islamic private law. And Aurangzib's regulations represent an attempt at a compromise between the two, and the final abandonment, in outward profession at least, of the nomad idea of communal property and the adoption of the modern idea of individual private possessions,—*i.e.*, the conversion of mere agents of the State into private owners. It would, in my opinion, be unhistoric to suppose that these escheats were originally due to a wicked desire of the autocratic

sovereign to seize his subjects' rightful property when they were no longer alive to defend it.

§ 5. Effect of the system of escheats.

Whatever the origin of the custom of escheat may have been in theory, its practical effect was, all the same, most harmful. It has been defended by a modern writer as tending to keep up the efficiency of the Government by extinguishing a parasite class living on hereditary wealth, and forcing everybody to go through a struggle for the survival of the fittest. But a little reflection will show that this was really not the case. One effect of the escheat system was to induce the nobles to live extravagantly and squander their all on women, show and unproductive luxury during their life-time, as they knew very well that they could leave nothing to their family, and the Emperor alone would profit by their abstinence. The material waste and moral degradation of the highest class in society were, therefore, deplorable.

Again, the insecurity of the nobles' fortunes prevented the accumulation of private capital and the economic growth of the country which depends on capital. The general level of civilisation and culture, too, was lowered, because each generation had to work from the bottom upwards, instead of benefiting by the acquisition and progress achieved by its predecessor.

Sometimes, the people proved more than a match for the extortionate State. We read of certain nobles' personal property being secretly given away by them to their children or cunningly hidden shortly before their death.

In the case of some others their effects were looted by their servants and neighbours before the Emperor's agents could come to attach them. We even read of Amir Khan's widow offering fight to the imperial officers who demanded the surrender of her husband's property.

The political effect of the escheat system was most disastrous. It prevented India from having one of the strongest safeguards of public liberty and checks on royal autocracy, namely, an independent hereditary peerage, whose position and wealth did not depend on the king's favour in every generation, and who could, therefore, afford to be bold in their criticism of the royal caprice and their opposition to the royal tyranny. It also made the Mughal nobility a selfish band, prompt in deserting to the winning side in every war of succession or foreign invasion, because they knew that their lands and even personal property were not legally assured to them, but depended solely on the pleasure of the king *de facto*. A baronage like that which extorted Magna Carta from King John, or cheerfully courted exile, confiscation and even death under the banners of King Charles I, was impossible in the Mughal empire. Mediæval India had no independent nobility or trading class to act as a barrier between the Emperor at the top of society and the poor peasants and common people at the bottom. Such a Government is most unstable and unsound, from the political and economic points of view alike.

§ 6. The Bait-ul-mal or Store of Escheats.

The *Bait-ul-mal* was the Store Department where, strictly speaking, only the property of persons dying without heirs should have been kept, but where in actual practice, as we see from Aurangzib's regulations, the escheated property of noblemen was also deposited. In Islamic theory, this *Bait-ul-mal* belonged to God and its contents could be spent only in works of charity and not on the Emperor's personal expenses nor on the general needs of the Government. [*Encyclo. Islam,* i. 598.]

As Aurangzib writes in one of his letters, "The Khalifa of the Age (*i.e.*, the reigning sovereign of the country) is the trustee [not 'owner'] of the *Bait-ul-mal.*" [*Ruqaat* No. 107.] And, again, in two other letters, "It is my duty to increase the property of the *Bait-ul-mal*" and "All presents made (to the sovereign) appertain to the *Bait-ul-mal.*" [Irvine MS. 350, No. 29 ; I.O.L. M.S. 3301, No. 102.]

Practical effect was given to this theory late in his reign. We read that in 1690 he issued an order appointing the provincial *qazis* as the *amins* or trustees of the branch Bait-ul-mal of their province. Thus, the qazi of Ahmadabad was ordered to present to the faqirs and other beggars of the city 150 coats (*qaba*) and the same number of blankets, priced Rs. 1½ and 8 annas each respectively, every winter. (*Mirat.* i. 338.) The amount of Rs. 6000 was spent on the clothing of the poor in that city ; but there were other occasions for charitable gift out of this fund.

The information at our disposal does not enable us to distinguish between the limits of work of the *Bait-ul-mal* and those of the other charity fund which the Emperor used to place in the hands of the *Sadar* or Civil Judge and Almoner. The *zakat* or tithe of 2½ per cent on the incomes of Muslims had to be devoted solely to pious works, such as maintaining Islamic scholars, students of theology, monks and beggars, giving dowries to maidens, &s. Strictly speaking, the *zakat* ought to have been paid into the treasury of the *Bait-ul-mal,* because the king could not lawfully touch any portion of it for his own use. Manucci tells us that in the closing years of Aurangzib's reign, when the Deccan war had exhausted his treasury and he was beset by financial embarrassment, the Emperor at first wished to open and use the contents of the great storehouses filled with goods left by deceased persons, or with property collected in Akbar, Jahangir and Shah Jahan's time from the men, great or small, who had been servants of the State. But afterwards he ordered these storehouses not to be opened—lest the officials should steal more than half of the things in his absence from his northern capitals. (*Storia,* ii. 255.)

The *Manual of Officers' Duties* clearly distinguishes between the *amual* or confiscated property of officers who died indebted (*mutalibadar*) to the State and which therefore rightfully belonged to the Public Treasury, and the *Bait-ul-mal* or store-house of the property of heirless persons, which rightfully belonged to God and could be spent on charitable purposes only. But Aurangzib's extensive correspondence never mentions such a department as *amual* and only speaks of depositing the escheated property in the *Bait-ul-mal.* Moreover, the *Manual* shows that the three departments of *ajnas* (*i.e.,* Government stores kept for being advanced to the subahdars and generals on loan), *amual* (*i.e.,* the escheated property of such officers after death), and *bait-ul-mal* (or the effects of persons dying without any heir),—were placed under one superintendent (*darogha*) and one set of accountant, store-keeper and watchmen. Munitions were supplied to the officers from this department on account. Hence, it appears that the surplus powder, shot, lead and water-proofs (*mom-jama*) of the artillery department were kept in the *ajnas.*

The instructions issued to a newly appointed darogha of this stores department as to his duties are to be found in the *Manual,* pp. 90-92.

§ 7. Nobles' families held by the Emperor as hostages.

The sovereign had another hold upon the nobility in Mughal times. The peerage consisted largely of able adventurers from Central Asia and Persia and a few from the Turkish empire. The Persians were most highly valued for their polished manners, literary ability, and capacity for managing the finance and accounts. There was always a keen desire on the part of the Mughal emperors to seduce to their service the higher officers of the Shah of Persia and the Sultan of Turkey because, as Aurangzib frankly says, the Persians were intellectually far superior to the Indian Muhammadans, while the western Turks brought with them something of European culture and science. For such officers, when they fell into disgrace in their homeland or dreaded the wrath of their native sovereign, a flight to India opened a road to honour, power and wealth far surpassing what they had enjoyed at home. This stream of recruits, who contributed much to the success and glory of the Mughal empire, naturally dried up on account of the increasing anti-Shia spirit displayed by Aurangzib in his latter years and the preponderant Sunni majority of the Indian Muslim population, and partly also on account of the rapid decay of the royal power and civilisation of Persia under the later Safavi Shahs at the end of the 17th century. But so long as it lasted, high-born Persian and Arab refugees in India were welcomed and the Emperors were glad to marry their sons and grandsons to the daughters of these newcomers.

The latter, however, had to give hostages for their fidelity to their new master. No Persian or Turkish refugee was confirmed in any high post or promoted to independent command, so long as he did not bring his family from his native land and settle them in India, for that was the surest means of preventing their escape from this country. They had also to place one of their sons as their representative (*wakil*) at Court, really as a hostage for their good conduct during their absence in the provinces. The Hindu Rajahs had to do the same.

CHAPTER X

State Industries

§ 1. The Government as a producer.

The Mughal Government was forced to supply its own wants by becoming a producer of nearly everything it required, because in the 16th and 17th centuries our country was in an undeveloped economic condition, the modern private organisations of production and transport were wanting, and the Government itself took a somewhat patriarchal attitude in dealing with its servants and subjects. Such State-factories were an ancient institution of the land, as, throughout the middle ages, they were necessitated by the circumstances of the times. Thus, we read that Sultan Firuz Shah Tughlaq, in the late 14th century, maintained 36 *karkhanahs* on which probably fifty lakhs of Rupees were spent every year, at a time when the Rupee had at least 25 times its present purchasing power. Afif's *Tarikh-i-Firuz Shahi*, pp. 334—340, gives a detailed description of the management of these factories, and the Arab geographer Shihabuddin Abul Abbas Ahmad al Dimishqi, writing from the reports of merchants, tells us something about their working. (Elliot, iii. 578.) For the palace workshops in Fatimid Egypt, see *Encyc. Islam*, ii. 17-18.

In Akbar's reign, about the end of the 16th century, the system of palace-workshops had expanded, as was to be expected from the development of civilisation for 250 years. His eulogist, Abul Fazl, writes,—In the 39th year of the divine era (1595 A.D.), there are in the imperial household "more than a hundred offices and workshops, each resembling a city or rather a little kingdom." (*Ain.* i. 12.) Bernier saw them sixty years later and has left an eyewitness's account of them (p. 259). We have also lists of *karkhanahs* in the official manuals called *Dastur-ul-aml* and certain other historical works composed at the end of the 17th century and later.

But in order to get a clear idea of the economic activities of the State, it is necessary for us to distinguish between two classes of things which our Persian authorities designate by the name of *karkhanahs* and include in the same list, *viz.*,—(*a*) STORES of animals, articles of food and drink, and things in a finished or usable condition, acquired by the Government and kept in the palace, which required no further working up, and (*b*) FACTORIES proper, where raw materials were worked up by salaried servants of the State into fully manufactured goods fit for use.

§ 2. Treasuries distinguished from State factories.

It is also necessary, at the outset, to say something about the different treasuries (*khazinahs*) in the palace, because they were intimately concerned with the stores and *karkhanahs*. About these, Akbar's Court-historian proudly tells us,—

"In Iran and Turan, where only one treasurer is appointed, the accounts are in a confused state; but here in India, the amount of the revenues is so great, and the business so multifarious that twelve treasuries are necessary for storing the money in,—nine for the different kinds of cash payments, and three for precious stones, gold, and inlaid jewellery. ......A separate treasurer was appointed for the tribute (*peshkash*) receipts, another for receiving heirless property (*bait-ul-mal*), another for *nazar* receipts, *i.e.*, presents, and another for the monies expended in weighing the royal person and for charitable donations." (*Ain*, i. 14.)

Here we get the designations and functions of eight of the treasuries, besides the grand or general treasury (called the *khazinah-i-amara*). A Persian history written by Shakir Khan in the middle of the 18th century gives the names of the twelve treasuries thus:—

(1) *Andarun-i-mahal*, *i.e.*, the treasury inside the harem. This was the last financial line of defence of the Mughal Emperors, as we know from Aurangzib's letters in the sad closing years of his reign.

(2) *Baqāyā*, *i.e.*, treasury of arrears collected.

(3) *Jeb-i-khās*, or the treasury for supplying the Emperor's pocket-money, *i.e.*, for the payments made by him with his *own hands*.

(4) *Jeb-i-faiz*, or treasury for pious donations, *i.e.*, the money which the Emperor annually spent in charity, as well as his weight in gold, silver and several other things, which were all given away to the poor and to religious mendicants.

(5) *Khazinah-i-rikab* or the treasury that accompanied the Emperor during his marches.

(6 & 7) *Khazinah-i-nazar wa peshkash.* These treasuries contained the tributes, presents, gifts made in accomplishment of vows, or donations for averting evil astral influences from the Emperor's body made to the Emperor by his subjects. Abul Fazl makes them two distinct treasuries, but Shakir Khan (middle 18th century) joins them into one.

(8) *Khazinah-i-sarf-i-khās, i.e.,* the Emperor's privy purse for his personal or *household* expenses. [This money was disbursed by the Lord Chamberlain *Khan-i-saman* and not by the Emperor with his own hands.]

(9) *Bait-ul-māl.* Here the properties of persons dying without heirs were kept, with a view to afterwards spending them for the relief of the people in general. According to the Quranic law, the Emperor could not touch any part of this money for his own use. [*Encyclo. Islam,* i. 598.]

The other three treasuries, as we know from the *Ain-i-Akbari,* were:—

(10) Treasury of precious stones,

(11) Treasury of goldware, and

(12) Treasury of inlaid jewellery.

Two Marathi works, namely the *Sabhasad Bakhar* (written in 1694) p. 95 and the *Chitnis Bakhar of Shivaji,* (written in 1810), p. 76, give a different list of the twelve, which is due partly to their writers having made a confusion between treasuries and stores and partly also to the probability of the Maratha administrative system having been in some respects a departure from its Mughal model and exemplar. These treasuries are called the *Bārā Mahāl* or *Kosh* and named *fota, saudagari, palki, kothi, imarat, paga, seri* (or *sair-i-bagh*), *daruni, thatti, tankshal* or mint, *chhabina,* and *bahili* (variant, *jamdarkhanah* or wardrobe).

Now, here *paga* (which means cavalry) seems to be a mistake for *baqaya* or arrears collected; *bahili* is *bahlah,* a Hindi word meaning the privy purse, (see *Ain.* i. 15); *chhabina* is the Marathi corruption of the Persian word *shabina,* meaning a body of horsemen accompanying a king on the march; and I take it to be a loose translation of *rikab* or the stirrup, which, as we have seen above, designated the Emperor on the march; *fota* stands for the general cash treasury; *daruni* is *andaruni* or the harem treasury.

The rest are stores and not treasuries at all. *Sair-i-bagh* means excursion to pleasure gardens, and I doubt whether a special treasury was kept to supply the expenses for this purpose. *Thatti* means the cattle department. [*Junya Aitihasik Goshti,* i. 38.]

The *Zawabit-i-Alamgiri,* folio 132*b*, names 24 treasuries, of which one is the General Treasury, and five others are included in the above list, while 18 are different. These last are the sub-treasuries for *ashrafis* (gold coins), the Lady Begams, fines, *rās-mahāl* (? *ras-ul-mal,* ch. III. § 4), *dām, āhadis, shagird-pesha* (menial servants), exchange of jagirs, *topkhanah* (artillery), record offices, *qular-i-Haidarabadi,* food of cattle, rewards, cash (*mablaghi*), perquisites of the clerks of elephant-stables, general expenditure (*kharch-i-kul*), and two illegible items, looking like *thika* (contract, hire) and *mutafarqa* (miscellaneous.)

From the *Mirat-i-Ahmadi* (ii. 178) we learn that the provinces had only four treasuries, viz., (*a*) *Khazinah-i-āmara*, also called *bait-i-kharaj* or house of land revenue from the Crownlands, tributes and duties on the goods of Hindus, &c., (*b*) *Khazinah-i-baqaya* or dues for *taqavi*, tribute, &c., (*c*) *Khazinah-i-sadqa* containing the *tithe* of 2½ per cent, from Muslims* and (*d*) *Khazinah-i-jaziya* or poll-tax on non-Muslims.

§ 3. Work in State factories described.

In popular parlance there were 12 treasuries and 36 *karkhanahs*, as we find even in Shakir Khan's memoirs. The Marathi histories cited above mention only 18 *karkhanahs*, though these two works do not agree with each other as to their names. The *Zawābit-i-Alamgiri* (*f.* 132*b*) gives a list of 69 *karkhanahs*, but, on account of the bad writing of the MS. some of the names cannot be clearly read. The *Ain-i-Akbari* separately describes 26 of the *karkhanahs* and indirectly or briefly refers to 10 others, making a total of 36.

Before examining these lists critically and enumerating the stores and offices separately from

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* *Zakāt* is the *obligatory* alms-tax of 2½ p.c. from Muslims, while *sadqa* is a *voluntary* payment for charity. In time the two became confounded together. (*Ency. Isl.* iv. 33 and 1202; *Quran*, ix. 60.)

the workshops or true *karkhanahs*, I shall describe the working of the State-factories.

Shams-i-Afif writes thus about Firuz Shah's *karkhanahs* from personal observation: "The Sultan had 36 *karkhanahs* and tried his utmost to collect materials in them, each of them being filled with many kinds of valuable goods and things,—[*i.e.*, plant, furniture and materials],—the number of which cannot be computed......Every year a large sum of money was spent in each *karkhanah*. Some of these stores were *rātibi*, *i.e.*, they had fixed annual money grants; such were the elephant stables, cavalry stables, mule stables, camel stables, kitchen, lamp-room, butlery, and mattress store. One lakh and sixty thousand *tankas* per month was the fixed grant of these *ratibi* stores taken together, besides the price of their plant and the wages of their accountants and other officers,—making a total of one lakh and sixty thousand silver *tankas* ...In the *ghair-ratibi karkhanahs*,—such as the *jamdar-khanah*, *ilm-khanah*, *farash-khanah*, *rikab-khanah*, &c.—the expenditure every year varied with the amount of the new goods ordered to be made in each (*farmaish*) ......Each *karkhanah* was placed in charge of a great lord (*Khan*) or notable chief (*malik*)......A general superintendent (*mutasarrif*) was placed over them all, and he was Khwajah Abul Hasan......When the Sultan wanted anything to be made, he first of all wrote to this general superintendent, and the latter sent the order to the superintendent of the *karkhanah* concerned, and the work was very quickly done......

Each *karkhanah* had a number of accountants." (Afif's *Tarikh-i-Firuz Shahi,* text, 337-339.)

This Sultan had a standing order that when there were any workmen out of employment in the city, they were to be sent to him. The prefect of police used to inquire through his subordinates in each ward, and bring such unemployed men to the Sultan, who used to give them work in his *karkhanahs* or in the offices of his ministers or in the households of the nobles, according to their capacity and desire. (*Ibid,* 334.)

The Arab geographer Dimishqi writes, "The Sultan has a manufactory in which 400 silk-weavers are employed, and where they make stuffs of all kinds for the dresses of the persons attached to the Court, for robes of honour and presents, in addition to the stuffs which are brought every year from China, Iraq, and Alexandria. Every year the Sultan distributes 200,000 complete dresses......Dresses are also distributed to the [Muslim] monasteries and hermitages......

"The Sultan keeps in his service 500 manufacturers of golden tissues, who weave the gold brocades worn by his wives or given away as presents to the nobles and their wives." (Elliot, iii. 578).

§ 4. Some chief seats of State industries.

In the middle of the 17th century, the French doctor Bernier saw these factories at work during his visit to the Mughal capital. He writes: Within the fortress, "large halls are seen in many places, called *karkhanahs* or workshops for the artisans. In one hall embroiderers are busily employed, superintended by a master. In another you see goldsmiths; in a third painters, in a fourth varnishers in lacquer-work; in a fifth joiners, turners, tailors, shoe-makers; in a sixth manufacturers of silk, brocade, and those fine muslins of which are made turbans, girdles with golden flowers, and [the fine] drawers worn by females......beautifully embroidered with needle work.

"The artisans repair every morning to their respective workshops, where they remain employed the whole day; and in the evening return to their homes......The embroiderer brings up his son as an embroiderer, the son of a goldsmith becomes a goldsmith, and a physician of the city educates his son for a physician. No one marries but in his own trade or profession; and this custom is observed almost as rigidly by the Muhammadans as by the Hindus." (Bernier, 259.)

In the provinces there were State factories at Lahore, Agra, Fathpur and Ahmadabad, as well as Burhanpur and Kashmir. The governors of the various provinces could not have maintained factories of their own, (except on a very small scale), as they were liable to frequent transfer. But they patronised local products, as they had to supply the Emperor all the same with choice specimens of these. "The king and the princes keep officials in every one of these provinces, whose business it is to put in hand the best goods that can be fabricated in each place. With this object in view, they keep an eye continually upon what is being done in that respect" [by the local artisans]. (*Storia*, ii. 431.)

The development of Indian art industries under State patronage is thus described by Abul Fazl,—"His Majesty pays much attention to various stuffs ......Skilful masters and workmen have settled in this country, to teach people an improved system of manufacture. The imperial workshops in the towns of Lahore, Agra, Fathpur, Ahmadabad-Gujrat turn out many masterpieces of workmanship; and the figures and patterns, knots and variety of fashions which now prevail, astonish experienced travellers......On account of the care bestowed upon them, the intelligent workmen of this country soon improved......The imperial workshops furnish all those stuffs which are made in other countries. A taste for fine material has since become general, and the drapery used at feasts surpasses every description." (*Ain.* i. 87-88.)

Masulipatam, long in the Golkonda kingdom, was the home of many artisans skilled in calico-printing, and we have letters in which Aurangzib, then viceroy of the Deccan, requests that some of these artisans might be sent to work in the State factory at Delhi or Agra. It was practically forced labour.

The lot of the labourers was not happy, nor conducive to the true economic development of the country. At the capital, which was the largest and richest city in the land, there were no private factories, no workshops owned and managed by skilful artisans on their own behalf. As Bernier rightly observes, "If the artists and manufacturers were encouraged, the useful and fine arts would flourish; but these unhappy men are contemned, treated with harshness and inadequately remunerated for their labour. The rich will have every article at a cheap rate. When an *umara* or *mansabdar* requires the services of an artisan, he sends to the bazar for him, employing force, if necessary, to make the poor man work; and after the task is finished, the unfeeling lord pays, not according to the value of the labour, but agreeably to his own standard of fair remuneration; the artisan having reason to congratulate himself if the *kora* (lash) has not been given in part payment......How then can it be expected that any spirit of emulation should animate the artist or manufacturer?......The artists, therefore, who arrive at any eminence in their art are those only who are in the service of the king or of some powerful *umara*, and who work exclusively for their patron." (Bernier, 255-256.)

§ 5. Classified list of karkhanahs.

The Mughal *karkhanahs* as enumerated in the *Zawabit* can be classified into six groups:—

A. ANIMALS:—

1. Horse stables (*paga* or *astabal-khanah*), described in *Ain-i-Akbari*, i. 132.

2. Elephant stables (*fil-khanah*), *Ain.* 117 and Marathi.

3. Cow-pens (*gao-khanah*), *Ain.* 148 and Marathi.

4. Camel stables (*shutar-khanah*), *Ain.* 143 and Marathi.

5. Mule stables (*āshtar-khanah*), *Ain.* 152; in *Tarikh-i-Firuz Shahi* and *Zawabit* easily mis-spelt as *sher-khanah*. Marathi has *sheri*.

6. Deer-park (*āhu-khanah*), *Ain*, 221.

7. Menagerie of tame hunting animals (*shikar-khanah*), *Ain.* 286—294, and Marathi; not in Z.

8. Hunting leopards (*chita-khanah*), *Ain.* 285.

9. Aviary for falcons (*qush-khanah*), *Ain.* 293.

B. STORES, which were mere collections of things manufactured elsewhere:—

10. Royal insignia (*qur-khanah*), *Ain.* 50.

11. Arsenal (*silah-khanah*), *Ain.* 109; Marathi.

12. *Palki-khanah*; Marathi.

13. *Chaudol-khanah* or sedan-chairs.

14. *Rath-khanah* or carriages. Marathi.

15. Portable throne or litter (*takht-i-rawan*).

16. Candle-sticks and lamps (*shama* and *chiragh*), *Ain.* 48.

17. Torches (*mashal*).

18. Library (*kitab-khanah*). Marathi.

19. Chinaware (*chini-khanah*).

20. *Khilat-khanah*, or store of dresses of honour intended for distribution.

C. FACTORIES AND STORES:—

21. Carpets (*farash-khanah*), *Ain.* 53 and Marathi.

22. Wardrobe or mattresses (*toshak-khanah*), *Ain.* 87. *Jamdar-khanah* in Firuz's history and Marathi.

23. Harness, saddles and bridles (*zin-khanah*).

24. *Kir-kirāqi-khanah*. At first explained by Blochmann (*Ain.* i. 87*n*) as evidently meaning a wardrobe; but in his addenda (616) he derived it from the Turki words *Kurk* and *Yaraq*, meaning "the fur of the supplex". Beveridge (*Tuzuk*, i. 45*n*) accepts this meaning. In Shaikh Suleiman Efendi's *Chagatai-Osmanli Worterbuch* (ed. by Kunos), *Kirqu* is translated as sparrow-hawk. Forbes (*Hindustani Dic.*, 544) explains *qirqirā* as the damoiselle crane, *Ardea virgo*. But the author of *Mirat-i-Ahmadi* with his lifelong experience as a Mughal provincial diwan clearly explains *Kirkirāq* as "whatever is ordered by the Emperor for his dress &c., such as *chikan-dozi*, *naqqashi* &c." (ii. 184.) We must therefore accept this last meaning.

In *Zawabit* (14*a*), *Kirkiraqi* is mentioned as a branch of the department of plate and saucers. In the Jaipur palace records it is included in the jewelled ware department.

25. Bedding and advance-tents for the Emperor's journeys (*bistar-khanah* and *pesh-khanah*).

26. Apparel of children (*rakhwat*, wrong plural of *rakht*).

27. The same of *khawases*. But elsewhere the *Zawabit* (14*a*) speaks of *rakhwat* or trappings for (*a*) leopards (*b*) elephants, (*c*) the *haveli*, and (*d*) the *barish-khanah* or monsoon-house.

28. Goldsmiths' department (*zargar-khanah*), *Ain.* 18.

29. Blacksmithy (*ahangar-khanah*).

30. Jewellery store (*jawahir-khanah*), *Ain.* and Marathi.

31. Goldware (*tela-alat*).

32. Silverware (*nuqra-alat*).

33. Inlaid-ware (*murassa-alat*).

34. [?] Copperware and cauldrons.

35. Gold embroidery (*zardoz-khanah*).

36. Ivory work (*dandan-i-fil*).

37. Setting shells (*khatambandi-khanah*).

38. Perfumery (*khush-buh- khanah*), *Ain.* 73.

39. Rose-water department (*gulāb-khanah*).

[If rose-water was included in the general perfumery department, then I am inclined to read the expression as *kalāwant-khanah* or State musicians' department. Aurangzib however broke up this establishment some years before the *Zawabit* was written in its final form.]

40. Oil or ghee (*raughan*).

41. Mint (*dar-ul-zarb*), *Ain.* 16; Marathi.

42. Paintings (*naqqash-khanah* or *taswir-khanah*), *Ain.* 107.

43. Dispensary (*dawai-khanah* or *shafa-khanah*), Marathi.

44. Shawls, *Ain.* 91.

45. Scarf-weaving (*chirabafi-khanah*).

46. *Ilaqabandi-khanah*, factory of silk cords and tapes.

47. Cloth store (*kotha* or *kuthi-i-parcha*); Marathi.

This was quite different from the mahal of *Kathra-i-parcha* mentioned in the *Mirat-i-Ahmadi* (ii. 179) as one of the sources of State income in Gujrat. It meant the custom duty on cloth, and this meaning comes out clearly from its popular title, *mahal-i-sad-panj*, or the branch of five per cent, because in Aurangzib's reign the rate of duty on goods sold

was 5 per cent for the Hindus, 3½ per cent for the Christians and at first 2½ per cent, then nothing for the Muslim traders.

D. OFFICES OR DEPARTMENTS of administration and Court-life:—

48. Band-room (*naqqar-khanah*), *Ain.* 47, and Marathi.

49. Artillery (*top-khanah*), including all classes of fire-arms and munitions. The Marathas had a separate store for gun-powder, called *daru-khanah*.

50. Buildings department (*imarat-khanah*); *Ain.* 222; Marathi.

51. Records (*daftar-khanah*), Marathi.

52. Emperor's chapel (*ja-namaz-khanah* or *tasbih-khanah*).

53. Store-room for heirless property (*kotha-i-bait-ul-mal*).

54. Purchase department (*ibtia-khanah*).

The Marathas had a *saudagari kosh*, to designate this.

55. Free food kitchens (*bulghur-khanah*, or more usually *langar-khanah*).

56. School (*talim-khanah*). In Firuz Shah's time called *ilm-khanah*. A Marathi historian translates *talim-khanah* as the wrestling school.

57. Department of hire and wages, (*kiraya wa ajura*).

58. Games (*chaughan*, *chaupar*, &c.) *Ain.* 297—307.

59. In the 17th and 18th centuries there was a department called *Bewa-khanah* for the maintenance

of the widows of the Emperors, who lived in the Sohagpura suburb of Delhi.*

E. THE EMPEROR'S PERSONAL SERVICE :—

60. Kitchen (*matbakh* or *bawarchi-khanah*), *Ain.* 57 ; Marathi.

61. Drink or butlery (*abdar-khanah*). *Ain.* 55 ; Marathi. Some Persian works read *sharbat-khanah*, some *sharab-khanah,* but the latter term cannot here mean a wine-cellar. The Marathi histories name *sharbat-khanah* and also *sharabi-khanah.*

62. Fruits (*mewah-khanah*), *Ain.* 64.

63. *Bhanda-khanah* (large earthen pots.)

64. *Sahat-khanah* (conservancy or latrine).

65. Store of *kauris* or small shells (to serve as the lowest small change), *Khar-muhra-khānah.*

66. *Charkhi-khanah,* store of fire-wheels. (I reject the possible reading *Kharch-khānah.*)

67. *Majmua-khanah* (? Miscellaneous).

The above five are given in the *Zawabit,* which contains, in addition, nine illegible names of *karkhanahs.* The Marathi histories add the following three—

68. *Ambar-khanah* or granary.

69. *Zarayat* or *jins-khanah ;* [this *jins-khanah* would correspond to the *ajnas* department in the Mughal empire, *i.e.*, the store of things from which the mansabdars were supplied as part payment in kind.]

70. Theatre or *natak-khanah,* besides the *sahat-khanah* and *sharbat-khanah* already noticed under

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* Br. Mus. Persian MS. 6598, *f.* 55 *a.* Irvine's *Later Mughals,* i. 254 *n.*

other heads. The printed Persian text of Afif's *Tarikh-i-Firuz Shahi* gives nothing new except *Shakra-khanah* and *zarād-khanah* (which I correct into *nuqra* and *zar-doz* respectively), and *rikab-khanah,* and *tashtdar-khanah,* meaning the stores of trays and ewers, which are included by the *Zawabit* in the kitchen department. In the *Akhbarat-i-darbar-i-muala* we find three other names, *shora-khanah, bulbuli-khanah* (department of singing-birds),* and what looks like *'ilur-khanah,* which may be a mistake for *yuz-khanah* (department of hunting leopards or dogs ; No. 8 above.)

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* *Tasht-dar,* a servant who pours water on the hands when washing; an ewer-holder, also called *aftabchi.*

Shora (salt petre for cooling drinks.) The quarter of Delhi where the royal singing birds were kept and which contains the tomb of Sultana Raziyya, is still called *Bulbulikhanah.*

CHAPTER XI

Revenue Rules of Aurangzib

Farman of Aurangzib to Muhammad Hashim, diwan of Gujrat, issued in 1079 A. H. (1669 A. D.)

Translation

The officers of the present and future and tax-collectors (*amils*) of the Empire of Hindustan from end to end, should collect the revenue and other [dues] from the *mahals* in the proportion and manner fixed in the luminous Law and shining orthodox Faith, and [according to] whatever has been meant and sanctioned in this gracious mandate in pursuance of the correct and trustworthy Traditions,—

And they should not demand new orders every year, but should consider delay and transgression as the cause of their disgrace [113*b*]* in this world and the next.

First.—They should practise benevolence to the cultivators, inquire into their condition, and exert

themselves judiciously and tactfully, so that [the cultivators] may joyfully and heartily try to increase the cultivation, and every arable tract may be brought under tillage.

[*Commentary,* 113*b* margin:—Concerning what has been written in the first clause, the wish of the just Emperor is, "Display friendliness and good management which are the causes of the increase of cultivation. And that [friendliness] consists in this that under no name or custom should you take a *dām* or *dirham* above the fixed amount and rate. By no person should the ryots be oppressed or molested in any way. The manager of affairs at the place should be a protector [of rights] and just [in carrying out these orders."]

Second.—At the beginning of the year inform yourself, as far as possible, about the condition of every ryot, as to whether they are engaged in cultivation or are abstaining from it. If they can cultivate, ply them with inducements and assurances of kindness; and if they desire favour in any matter show them that favour. But if after inquiry it is found that, in spite of their being able to till and having had rainfall, they are abstaining from cultivation, you should urge and threaten them and employ force and beating. Where the revenue is fixed at an unalterable rate for a specified quantity of land (*kharāj-i-muazzaf*) inform the peasants that [115*a*] it will be realised from them whether they cultivate or not. If you find that the peasants are unable to procure the implements of tillage, advance to them money from the State in the form of *taqāvi* after taking security.

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* The pages given within brackets are those of the Berlin State Library MS. (Pertsch's Catalogue, entry No. 15 (9) *ff.* 112*b*—125*a* and 15 (23) *ff.* 267*a*—272*a*.) This alone contains the commentary (an addition of doubtful value.) The text of the *farmān* to Hashim has been printed in *Mirat* i. 268—272. The second *farmān* is also to be found in Bib. Nat. ParisMS. Sup. 476 (f. 13 *a*) and in I.O.L. London MS.

[*Commentary*, 114*a* :—The second clause proves that the only business of peasants is to cultivate and so pay the revenue of the State and take their own share of the crop. If they lack the materials of cultivation, they should get *taqāvi* from the Government, because, as the king is the owner [of the land], it is proper that when the cultivators are helpless they should be supplied with the materials of agriculture. The Emperor's desire is the first. And threatening, beating and chastisement are [ordered] with this view that, as the king is the owner, [and] always likes mercy and justice,—therefore it is necessary that the ryots too should, according to their own custom, make great exertions to increase the cultivation, so that the signs of agriculture may daily increase. This thing is the cause of the gain of the State and the benefit of the ryots.]

Third.—About *fixed cash revenue*: If the peasant is too poor to get together agricultural implements, or runs away leaving the land idle, give the land to another on lease or for [direct] cultivation [as a tenant at will ?], and take the amount of the revenue from the lessee in case of lease, or from the share of the owner in case of [direct] cultivation. If any surplus is left, pay it to the owner. Or, substitute another man in the place of the [former] owner, in order that he may, by cultivating it, pay the revenue and enjoy the surplus [of the produce.] And whenever the [former] owners again become capable of cultivating, restore the lands to them. If a man [115*b*] runs away leaving the land to lie idle, lease it out after the current year is over.

[*Commentary*, 114*b* :—In what has been written about giving lease, entrusting to cultivators for [direct] cultivation, taking the amount of the revenue from the lessee [in case of lease] and from the owner's share in case of [direct] cultivation, and paying one-half to the *mālik*, *i.e.*, to the former cultivator,—the word *mālik* (owner) does not mean 'proprietor of the soil' but 'owner of the crop in the field'; because, if the word 'owner' meant 'proprietor of the soil,' then the owner would not run away through poverty and want of agricultural materials, but would rather sell his land and seek relief in either of these two ways: (i) throwing the payment of Government revenue upon the purchaser, (ii) devoting the sale-proceeds of his owner's right to the removal of his own needs. As for the words "substitute another man for the [former] owner," the rightful substitute for a proprietor can be none but his heir, and this is the distinctive mark of ownership. Therefore, the word 'substitute' as used here means 'a substitute for the owner of the crop.' But in the case in which a man, after spending his own money and with the permission of Government, cultivates a waste land which had paid no revenue before, and having agreed to its assessment for revenue pays the revenue to the State,—such a man has [true] tenant's right to the land he cultivates, because he is the agent in reclaiming the land. The real owner is he who can create a substitute for the owner, *i.e.*, the king. It is a well-known maxim, "Whosoever wields the sword, the coins are stamped in his name." As for the expression "pay half [the produce] to the owner, and do not lease out the field to any one else for a year afterwards,"—the intention is that, as the fixed revenue (*kharāj-i-muazzaf*) is not affected by the productive or barren nature [of the year], in both cases the cultivator has to pay the revenue in cash. As the Emperor likes leniency and justice, [he here orders] that the officers should kindly wait for one year [for the return of a fugitive ryot] and, in the case of [direct] cultivation or lease, they should pay to him any surplus left above the Government revenue.]

Fourth.—Inform yourself about the tracts of fallow (*uftāda*) land which have not returned to cultivation. If they be among the roads and highways, enter them among the area (? *banā*) of towns and villages, in order that none may till them. And if you find any tract other than these, which contains a field incapable of tillage, then do not trouble anybody for the sake of its revenue. But if it be capable of cultivation, or is really a piece of land fallen into ruin (*bāir*), then in both these cases, in the event of the land having an owner and that owner being present and able to cultivate it, urge the owner to till it. But if the land has no owner, or if the owner is unknown, give it to a man who can reclaim it to reclaim. Therefore, if the lessee be a Muhammadan and the land [117*a*] adjoins a tract paying tithes (*ushr*), assess tithes on it; if it adjoins a rent-paying tract, or if the reclaimer of the land be an infidel, lay the revenue on it without abatement. In case deduction has to be made from the [standard] revenue, as you may find politic either assess the land at something per bigha by way of unalterable rent,—what is called *kharāj-i-muqat'at,*[*]—or lay on it the prescribed revenue of half the crop,—which is called *kharāj-i-muqāsema.* If the owner be known, but is quite unable to cultivate it, then if the land had been previously subject to *kharāj-i-muqāsema,* act according to the order issued [for this class of revenue]. But if it be not subject to *kharāj-i-muqāsema* or is not bearing any crop, then do not trouble [the owner] for tithes or revenue. But if he be poor, engage him in cultivation by advancing *taqāvi.*

Fifth.—As for a desert tract (*bādia*), if the owner be known, leave it with him; do not give possession of it to others, [117*b*]. If the owner be not known, and if there be no probability of *audāt* (minerals) in the land, then, as policy may dictate, give the land to whomsoever you consider fit to take care of it. Whosoever makes it arable must be recognised as the owner of the tract and the land should not be wrested from him.[†] If the land contains minerals forbid everything that may hinder the mining of the land; and for the gain from the land, forbid cultivation, etc.; and do not let any one take possession of it, and recognise none as its owner.

If an entire (*darbast,* undivided) tract of waste land has been transferred for any reason, and a contrary state of things is brought about by a different cause, then regard the land as belonging to the man up to the time till when it was in his possession, and do not give possession of it to anybody else.

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[*] *Bilmokta*—'land held at a low unalterable rent.'—(*Brit. Ind. Analyzed,* p. 151.)

[†] For the rights of a tenant who reclaims waste land, see *Encyc. Islam,* ii. 457 (s.v. *Ihya.*)

Sixth.—In places where no tithe or revenue has been laid on a cultivated land, fix whatever ought to be fixed according to the Holy Law. If it be revenue, fix the revenue at such an amount that [119*a*] the ryots may not be ruined by the payment of it; and for no reason exceed half [the crop], even though the land may be capable of paying more. Where the amount is fixed, accept it, provided that if it be *kharāj,* the Government share should not exceed one-half, lest the ryots be ruined by the exaction. Otherwise reduce the former *kharāj* and fix whatever the ryots can easily pay. If the land is capable of paying more than the fixed [amount] do not take more.

[*Commentary,* 118*a*:—In the sixth clause: the wish of the benevolent Emperor is that the revenue should be so fixed that the peasantry may not be ruined by payment of it. The land belongs to the king, but its cultivation depends on the ryots; whenever the ryots desert their places and are ruined, *i.e.,* when they are crushed by the excessive exactions and oppression of the officers, one can easily imagine what the condition of the cultivation would be. Hence urgent orders are issued in this clause.]

Seventh.—You may change fixed revenue (*muazzaf*) into share of crop (*muqāsema*), or vice versa, if the ryots agree to it: otherwise not.

[*Commentary*:—The order for changing one kind of revenue into another at the wish of the ryots is for their convenience.]

Eighth.—The time for demanding fixed revenue is the harvesting of every kind of grain. Therefore, when any kind of crop reaches the stage of harvest, collect the share of revenue proper for it.

[*Commentary*:—The object is, whenever the revenue is demanded at harvest, the ryots may, without any perplexity, sell a portion of the crop sufficient to pay the revenue and thus pay the due of the State. But, if the demand is made before that time, it puts them into perplexity and anxiety. Therefore, the Emperor's order is to seek their convenience.]

Ninth.—In lands subject to fixed cash revenue, if any non-preventable calamity overtakes a sown field, you ought to inquire carefully, and grant remission to the extent of the calamity, as required by truth and the nature of the case. And in realising [119*b*] produce from the remnant, see that a net one-half [of the produce] may be left to the royts.

Tenth.—In lands with fixed cash revenues: If anybody leaves his land untilled, in spite of his ability to till it and absence of any hindrance, then take the revenue [of it] from some other *baze** [field in his possession.] In the case of fields which have been flooded, or where the rain-water has been exhausted, or any non-preventable calamity has over-taken the crop before reaping, so that the ryot has secured nothing, nor has he time enough left for a second crop to be raised before the beginning of the next year,—consider the revenue as remitted. But if the calamity happens after reaping, whether it be preventable like eating up by cattle or if after the calamity sufficient time is left [for a second cropping], collect the revenue.

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* *Baze Zamin*—See Wilson's *Glossary*, p. 69. "The Baze Zamin or certain lands set apart for various uses."—(*Brit. Ind. Analyzed*, p. 276.)

[*Commentary* :—"If a man holds a land on which *kharāj-i-muazzaf* has been laid, and he has the power to cultivate it, and there is no obstacle to his cultivating, and yet he leaves it untilled,—then realise the revenue of that land from any other land belonging to the man, because he left his land idle in spite of his being able to till it and there being no obstacle. If any land belonging to the man is flooded or the rain-water which had been dammed up for irrigation of crops gets exhausted, and the crop is ruined, or if any non-preventable calamity befalls his crops, before they have ripened and been harvested, so that he secures no crop nor has he any time left for raising a second crop that year,—then do not collect the revenue.]

Eleventh.—If the owner of a land, subject to a fixed revenue, cultivates it but dies before paying that year's revenue, and his heirs get the produce of the field [121*a*], collect the revenue from them. But do not take anything if the aforesaid person dies before cultivating and [time] enough is not left that year [for any one else to till it].

[*Commentary,* 120*a* :—What has been published about "the death of the owner of the land, taking the revenue from his heirs, and not demanding the revenue from the heirs if he died before tilling" is manifestly just ; because the land-owner, *i.e.*, truly speaking the owner of the crop, died before cultivating, so it is far from just to collect revenue from his heirs, even though they may have got something from him by way of bequest ; for the [true] owner of the land is the king, and the owner of the crop, *i.e.*, the deceased [ryot] died before cultivating and his heirs have not got anything or crop that may be a ground for [demanding] revenue ; so, nothing should be collected from them.]

Twelfth.—Concerning fixed cash assessments : If the owner gives his land in lease or loan, and the lessee or borrower cultivates it, take the revenue from the owner. If the lessee plants gardens, take the revenue from him. But if a man after getting hold of a *kharaji* land denies it, and the owner can produce witnesses, then if the usurper has cultivated it, take the revenue from him ; but if he has not done so, take the revenue from neither of them. If the usurper denies [the usurpation] and the owner cannot produce witnesses, take the revenue from the owner. In cases of mortgage (*rihan*), act according to the orders applicable to cases of usurpation. If the mortgagee has engaged in cultivation without the permission of the mortgagor, [121*b*] [exact the revenue from the former.]

[*Commentary,* 120*b* :—This order may be construed in either of the following two ways, or it will yield no sense : "If the owner of a land under fixed revenue gives his land in lease or loan, and the lessee or borrower cultivates it, realise the revenue from the owner. If the lessee &c. has planted gardens on it, take the revenue from him, because he has planted the gardens. If a man after getting hold of a *kharāji* land denies it, and the owner has witnesses, then, in the case of the usurper having tilled it, take the revenue from him, but if he has not done so take the revenue from neither of them. If the usurper denies [the usurpation] and (i) the owner *has no* witness, take the revenue from the owner." This is one construction. The other is (ii) "if the owner *has* witnesses, take the revenue from the owner," *i.e.*, the usurper denies [the usurpation] and the owner produces witnesses to prove his own cultivation, therefore the owner should pay the revenue.

"In cases of mortgage act according to the orders issued for cases of usurpation. If the mortgagee has engaged in cultivation without the consent of the mortgagor, [demand the revenue from the former]," because if the mortgagee engaged in cultivation *with* the consent of the mortgagor, the latter ought to have paid the revenue, because the right to cultivate is [here] included in the mortgage. But if he has engaged in cultivation *without* the mortgagor's consent, he ought to pay the revenue, because the land alone, and not the right to cultivate it, was mortgaged.]

Thirteenth.—About lands under fixed cash revenue: If a man sells his *kharāji* land, which is culturable, in the course of the year, then, if the land bears one crop only and the buyer, after taking possession, gets enough time during the rest of the year to cultivate it and there is none to hinder him, then collect the revenue from the buyer; otherwise from the seller. If it yields two crops, and the seller has gathered in one and the buyer the other, then divide the due revenue between the two. But if the land is [at the time of sale] under a ripe crop, take the revenue from the seller.

[*Commentary*, 122*a*:—If a man wishes to sell his land, *i.e.*, the crop of his land, and the purchaser gets sufficient time during the year to cultivate it, take the revenue from the purchaser. If it bears two crops, of which the seller has gathered in one and the buyer the other, divide the revenue and collect it from the two parties. If the land be under a ripe crop, take the revenue from the seller, because as the crop is ripe and the seller has sold it with full knowledge, he must have taken the price of the ripe grain. Therefore the seller should pay the revenue.]

Fourteenth.—Concerning lands under fixed cash revenue: If a man builds a house on his land, he should pay the rent as fixed before; and the same thing if he plants on the land trees that do not bear fruit. If he turns an arable land, on which a fixed revenue was assessed for cultivation [123*a*] into a garden, and plants fruit-trees on the whole tract without leaving any open spaces between [fit for cultivation], take Rs. 2¾, which is the maximum rate for gardens, although the trees are not yet bearing fruit. But in the case of grape and almond trees, while they do not bear fruit take the customary revenue only, and after they have begun to bear fruit, take Rs. 2¾, provided that the produce of one legal *bigha*, which means 45 × 45 Shah Jahani yards, or 60 × 60 Canonical yards, amounts to Rs. 5½ or more. Otherwise take half the actual produce [of the trees.] If the price of the produce amounts to less than a quarter-rupee,—as in the case when grain sells at 5 Shah Jahani seers a rupee and the Government share of the crop amounts to one seer only(?)*—you should not take less than this [quarter-rupee.]

If an infidel sells his land to a Muhammadan, demand the revenue in spite of his being a Muslim.

[*Commentary*, 122*b* :—If a man owns a land under a fixed revenue, and builds a house on it or plants a garden of trees that bear no fruit, there should be no change in its revenue, the former revenue should be taken. If a garden is planted on a land which was used for cultivation and on which the revenue of culturable land was fixed, and the fruit-trees are placed so close together that no open space is left for tillage, take Rs. 2-12, which is the due (*hāsil*) of gardens, even while the trees do not bear fruit. But in the case of grape and almond trees, the [usual] revenue is taken while they have not begun to bear fruit, and afterwards the due (*hāsil*) of gardens. But if this due of gardens, which is fixed at Rs. 2-12—on the ground that the total yield (? *rab'a*) of a legal *bigha* including the owner's share may reach up to Rs. 5-8—does not reach that amount, then take half the actual produce as revenue.* But if the price of this half-share of the produce be less than As. 4—as, in the case of grain, if you get one seer in five Shah Jahani seers (?)—do not take less [than As. 4.] If an infidel sells his land to a Muhammadan, collect the revenue from the latter, because in truth it was not the latter's possession.]

Fifteenth.—If any man turns his land into a cemetery [123*b*] or *serāi* in endowment (*waqf*), regard its revenue as remitted.

[*Commentary*, 124*a* :—As it is a pious act to endow tombs and *serāis*, therefore the Emperor forbids the collection of revenue from them, for the sake of benefiting and doing good [to the public.] Revenue ought not to be taken [from such lands.]

Sixteenth.—About revenue by division of crops (*kharāj-i-muqāsema*) : If a man, whether Hindu or Muhammadan, is not the owner of a revenue-paying land, but has only bought it or holds it in pawn, he ought to enjoy the profit from whatever is produced in it. Collect from him the proper portion which has been fixed [as revenue],—provided that the share is neither more than one-half nor less than one-third [of the total crop]. If it be less than one-third, increase it, [if more than one-half, decrease it], as you consider advisable.

[*Commentary* :—If a man is not the real owner of a *muqāsema* land, but holds it [by purchase or] in pawn, he ought to enjoy the gain from the land, whether he be Hindu or Muhammadan, on condition that in case of mortgage he has received permission [to till] from the mortgagor. Therefore, collect from him the portion [previously] fixed as the assessment on that land. But this portion ought not to be more than one-half nor less than one-third. If more than one-half, decrease it, if less than one-third, increase it, to a proper amount.]

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* Is not this a very round-about way of saying that when the revenue in kind is worth only one-fifth of a rupee, a quarter-rupee should be regarded as the minimum assessment? O.P.L. M.S. reads 'take less than that amount.'

* In revenue by division of crops, the State took only one-third of the gross produce in the case of grain; but one-fourth to one-eighth in the case of opium, sugar-cane, vine, plantain, and cotton. (*Brit. Ind. Analyzed*, p. 179.)

Seventeenth.—If the owner of a *muqāsema* land dies without leaving any heir, act, in giving it in lease, direct cultivation, etc., according to the ordinances issued [above] for *muazzaf* lands.

[*Commentary*:—If the cultivator dies without heir, the man who administers the land should act in the manner prescribed in the third clause about *kharāj-i-muazzaf*, in giving it in lease or direct cultivation.]

Eighteenth.—In *muqāsema* lands, if any calamity overtakes the crop, remit the revenue to the amount of the injury. And if the calamity happens after reaping the grain or before reaping, gather revenue on the portion that remains safe.

[*Commentary*:—The Emperor seeks the happiness of the ryots. Therefore he strongly orders that no revenue should be demanded for the portion destroyed. But it should be collected for the remnant according to the share of that remnant.]

[*Note by J. Sarkar.*—For the right understanding of the above rules it is necessary to bear in mind the following passages of Abu Yusuf's *Kitab-ul-kharaj*, giving the principles and regulations of the early Khalifs:—

"As for fiefs (*qitai*) those that are naturally irrigated have to pay the tenth, those that are watered with the help of buckets, or leather bottles or wells with wheels, do not pay more than one-twentieth, because of the cost of irrigation", (p. 79 of M. Fagnan's French translation.)

"All the polytheistic people with whom Islam has concluded peace on the conditions that they recognise its authority, submit themselves to the division [of their land] and pay the *kharaj*,—are a tributary class, and the soil which they occupy is called the land of *kharaj*·········All the land of which the [Khalif=] Imam has become master by force may be···divided by him among [the Muslims] who have conquered it, and then it becomes land of the *tithe*" (p. 95.)

"Uncultivated desolate lands in conquered countries having no houses on them and not belonging to anybody, are called "dead lands"......Abu Hanifa says, 'He who vivifies (=reclaims to cultivation) a dead land becomes its proprietor when the Imam(=Khalif) permits it......If he has vivified it without the authority of the Imam, the latter may, at his pleasure, give it on lease, as fief, etc...or do whatever he deems useful," (p. 96.)

"He who vivifies a dead land······becomes its master·····...He pays either the tithe or the *kharaj*, according as it is in tithe-paying territory or in *kharaji*" (p. 98.)

“All places inhabited by non-Arabs which are conquered by the Imam and left by him in the hands of the conquered, are land of *kharaj* ; but it is tithe-land if it is divided by him among the [Muslim] conquerors” (p. 104.)

Forbidden abwabs named on pp. 131 and 165-166,—one among them being the cost of changing the *dirhams* which many of the peasants offered in paying their *kharaj*, (*rawāj*.)

Encycl. Islam, iv. 1050-’51 (*s.v. ushr*) does not make the land-tax rules very clear.]

Farman of the Emperor Aurangzib-Alamgir to Rasik-das krori in the form of a revenue-guide.

Translation.

[267*a.*] Rasik-dās, thrifty and obedient to Islam, hope for imperial favours and know—

That, all the desires and aims of the Emperor are directed to the increase of cultivation, and the welfare of the peasantry and the people at large, who are the marvellous creation of and a trust from the Creator (glorified be His name!)

Now the agents of the imperial Court have reported, after inquiry among the offices of the *parganas* of Crownlands and fiefs (*taiul*) of jāgir-holders, that at the beginning of the current year the *āmins* of the *parganas* of the imperial dominions ascertain the revenue of many of the *mauzas* and *parganas* from a consideration of the produce (*hāsil*) of the past year and the year preceding it, the area capable of cultivation, the condition and capability of the ryots, and other points. And if the ryots of any village do not agree to this procedure, they fix the revenue at the time of harvesting by [actual] survey or estimated valuation of crop.*. And in some of the villages, where the cultivators are known to be distressed and deficient in capital, they follow the practice of division of crops [*ghalla-bakhshi*] at the rate of one-half, one-third, two-fifths, or more or less. And at the end of the year they send to the imperial record office the account-books (*tumār*)† of the cash collection of revenue, according to rule and custom, with their own verification (*tasdiq*) and the *kroris*’ acceptance, [267*b*] and the signatures of the *chaudhuris* and *qānungoes*. But they do not send there the records of the lands of every *pargana* with description of the cultivation and details of the articles forming the autumn and spring harvests,—in such a way as to show what proportion of the crop of last year was actually realised and what proportion fell short, what difference, either increase or decrease, has occurred between the last year and the present, and the number of ryots of every *mauza*, distinguishing the lessees, cultivators, and others. [Such papers] would truly exhibit the circumstances of every *mahal*, and the work of the officers there—who, on the occurrence of a decrease in the collection of the

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* *Kankoot*—“Estimate of the ripened corn is called *Koot*.” (*Brit. Ind. Analyzed,* p. 216.)

† *Tumar*—rent-roll.

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mahal, after the assessment of the revenue had taken place, reduce a large amount from the total [standard] revenue on the plea of deficient rainfall, the calamity of chillnip, dearth of grain, or something else.

If they act economically [or with attention to minute details] after inquiring into the state of the crops and cultivators of every village, and exert themselves to bring all the arable lands under tillage and to increase the cultivation and the total standard revenue, so that the *parganas* may become cultivated and inhabited, the people prosperous, and the revenue increased, then, if any calamity does happen, the abundance of cultivation will prevent any great loss of revenue occurring.

THE EMPEROR ORDERS THAT—

You should inquire into the real circumstances of every village in the *parganas* under your *diwāns* and *āmins*, namely, what is the extent of the arable land in it? [268*a*.] What proportion of this total is actually under cultivation, and what portion not? What is the amount of the full crop every year? What is the cause of those lands lying uncultivated?

Also find out, what was the system of revenue collection in the reign of Akbar under the diwāni administration of Todar Mal? Is the amount of the *sāir* cess the same as under the regulations, or was it increased at His Majesty's accession? How many *mauzas* are cultivated and how many desolate? What is the cause of the desolation? After inquiring into all these matters, exert yourself to bring all

arable lands under tillage, by giving correct agreements (*qaul*) and proper promises, and to increase the first-rate (*kamil*)* crops. Where there are disused wells, try to repair them, and also to dig new ones. And assess their revenue in such a way that the ryots at large may get their dues and the Government revenue may be collected at the right time and no ryot may be oppressed.

And every year after correctly preparing the papers containing the number of the cultivators of every *mauza*, [the extent of] the cultivated and uncultivated lands, irrigated by wells and by rain [respectively], the first-rate and inferior crops, the arrangements for cultivating the arable land, for increasing the first-rate crops and bringing under culture the villages which had lain desolate for years,—and what else has been ordered in previous revenue-guides (*dastur-ul-aml*),—report these details, with the amount of the money collected during the year just completed [268*b*]. Know this regulation and procedure as established from the beginning of the autumn of the [Turkish] year of the Hare, the 8th year of the reign, and act in this way, and also urge the officers of the *mahals* of the *jāgirdārs* to act similarly :—

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* Tipu Sultan's order: "On the commencement of the year [the *amil*] shall give *cowle* to all the ryots...and encourage them to cultivate the lands." *British India Analyzed*, I. 1 and 2.

Jins-i-kamil, the best crop that a field can produce (translated by me as "first-rate crop"), while inferior crops, such as millets, are called *nakis*.

First.—Do not grant private interviews to the *amils* and *chaudhuris,* but make them attend in the [public] audience-hall. Make yourself personally familiar with the ryots and poor men, who may come to you to report their condition, by admitting them to public and private audiences, so that they may not need the mediation of others in making their requirements known to you.

Second.—Order the *amils* that (i) at the beginning of the year they should inquire, village by village, into the number of cultivators and ploughs, and the extent of the area [under tillage]. (ii) If the ryots are in their places, the *amils* should try to make every one of them exert himself, according to his condition, to increase the sowing and to exceed last year's cultivation ; and advancing from inferior to superior cereals, to the best of their power leave no arable land waste. (iii) If any of the peasants runs away, they should ascertain the cause and work very hard to induce him to return to his former place. (iv) Similarly, use conciliation and reassurances in gathering together cultivators from all sides with praise-worthy diligence. (v) Devise the means by which barren (*banjar*) lands may be brought under cultivation.

Third—Urge the *āmins* of the *parganas*, that at the beginning of the year, after inquiring into the agricultural assets (*maujudāt-i-mazru'aāt*) [269*a*] of every tenant, village by village, they should with attention to details assess the revenue in such a way

as to benefit the Government and give ease to the ryots. And send the *daul** of revenue to the imperial record office without delay.

Fourth.—After settling the revenue, order that the collection of revenue should be begun and the payment demanded at the appointed time, according to the mode agreed upon in every *pargana* for the payment of the instalments of revenue. And you yourself should every week call for reports and urge them not to let any portion of the fixed instalments fall into arrears. If by chance a part of the first instalment remains unrealised, collect it at the time of the second instalment. Leave absolutely no arrears at the third instalment.

Fifth. Having divided the outstanding arrears into suitable instalments according to the condition and capability of the ryots, urge the *kroris* to collect the instalments as promised [by the ryots], and you should keep yourself informed about the arrangements for collecting them, so that the collection may not fall into abeyance through the fraud or negligence of the *amils.*

Sixth.—When you yourself go to a village, for learning the true condition of the *parganas,* view the condition and appearance of the crops, the capability of the ryots, and the amount of the revenue. If in apportioning [the total revenue among the villagers] justice and correctness have been observed to every individual, fair and good. But if the *chaudhuri* or *muqaddam* or *patwāri* has practised oppression, conciliate the ryots [269*b*] and give them their dues. Recover the unlawfully appropriated lands (*gunjāish*) from the hands of usurpers. In short, after engaging with honesty and minute attention in ascertaining [the state of things] in the present year and the division (or details) of the assets, write [to the Emperor] in detail,—so that the true services of the *āmins* and the admirable administration of this wazir [Rasik-dās] may become known [to His Majesty].

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* *Daul*—"an account of particular agreements with the inferior farmers of the district, attested by the Canongoes; sub rent-roll." (*Brit. Ind.*, p. 222.)

Seventh.—Respect the rent-free tenures, *nānkār* and *in'ām*,* according to the practice of the department for the administration of Crownlands. Learn what the Government *amils* have increased (?), namely, how much they have left in arrears from the beginning of the grant of the *jagirs*, what portion they have deducted on the plea of shortage [of crop] and [natural] calamity. In consideration of these things resume [the unlawfully increased rent-free lands] of the past, and prohibit [them] in future, so that they may bring the *parganas* back to their proper condition. The truth will be reported to the Emperor, and favours will be shown to all according to their devotion.

Eighth.—In the cashier's office (*fotah-khānah*) order the fotahdārs to accept only Alamgiri coins.

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* *Enams*—"the meanest and more general gifts of land, bestowed on mendicants and common singers." (*Brit. Ind.*, p. 186.)

Nankar—a gift of land for a man's sustenance. [*Ibid*, 148.]

But if these be not available, they should take the Shah Jahani Rupees current in the bazar, and collect only the *sikka-ābwāb* (discount). Do not admit into the *fotah-khānah* any coin of short weight which will not pass in the bazar. But when it is found that the collection would be delayed if defective coins are returned, take from the ryots the exact and true discount for changing them into current coins, and effect the change in their presence.

Ninth.—If, (God forbid it!) any calamity [270*a*] from earth or sky overtakes a *mahal*, strongly urge the *āmins* and *amils* to watch the standing crops with great care and fidelity; and after inquiring into the sown fields, they should carefully ascertain [the loss] according to the comparative statement of the present and past produce (*hast-o-bud*).* You should never admit [as valid] any *sarbasta*† calamity, the discrimination (*tafriq*) of which depends solely on the reports of the *chaudhuris*, *qanungoes*, *muqaddams*, and *patwāris*; so that all the ryots may attain to their rights and may be saved from misfortune and loss, and usurpers may not usurp [others' rights.]

Tenth.—Strongly urge the *āmins*, *amils*, *chaudhuris*, *qānungoes*, and *mutasaddis*, to abolish *balia*, exactions (*ākhrājāt*) in excess of revenue, and forbidden *ābwābs* (cesses),—which impair the welfare of the ryots. Take securities from them that they should never exact *balia* or collect the *ābwābs* prohibited and abolished by His Majesty. And you yourself should constantly get information, and if you find any one doing so and not heeding your prohibition and threat, report the fact to the Emperor, that he may be dismissed from service and another person appointed in his place.

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* *Hastabood jama*—"Comparative account of the former and actual sources of revenue, showing the total increased valuation of the lands, the variations produced by casualties, new appropriations, &c." (*Ibid*, 220.)

† *Sarbasti*, exemption from payment. Hence the word in the text means entitled to remission of revenue. *Sarbasta* in the sense of secret does not yield so good a sense.

Eleventh.—For translating Hindi papers into Persian, inquire into the ratable assessment and apportionment (*bāchh-o-bihri*)[*] of the revenue, exactions (*ākhrājāt*), and customary perquisites (*rasumāt*)[†] name by name. As for whatever is found to have been taken from the peasants on any account whatever, after taking account of the payments (*wāsilat*) into the *fotah-khanah*, the balance should be written as appropriated by the *āmin, amil, zamindārs* and others, name by name. And, as far as possible [270*b*] collect and translate the rough records (*kāghaz-i-khām*) of all the villages of the *pargana*. If owing to the absence of the *patwari* or any other cause, the papers of certain *mauzas* cannot be got, estimate this portion from the total produce of the villages [taken collectively], and enter it in the *tumār*. After the *tumār* has been drawn up, if it has been written according to the established system, the *diwān* ought

to keep it. He should demand the refunding of that portion of the total gains of *amils, chaudhuris, qānungoes, muqaddams,* and *patwāris,* which they have taken in excess of their established perquisites (*rasum-i-muqarrar.*)

Twelfth.—Report the names of those among the *āmins* and *kroris* of the *jāgirdārs,* who have served with uprightness and devotion, and by following the established rules in every matter have proved themselves good officers,—so that as the result they may be rewarded according to their attention to the gain of the State and their honesty. But if any have acted in the opposite manner, report the fact to the Emperor, that they may be dismissed from the service, put on their defence and explanation [of their conduct], and receive the punishment of their irregular acts.

Thirteenth.—With great insistence gather together the papers of the records at the right time. In the village in which you stay, every day secure from the officers the daily account of the collection of revenue and cess and prices-current, and from the other *parganas* the daily account of the collection of revenue and cash (*maujudāt*) every fortnight, and the balance [271*a*] in the treasuries of *fotahdārs* and the *jam'a wāsil bāqi* every month, and the *tumār* of the total revenue and the *jama bandi* (annual revenue settlement) and the incomes and expenditures of the treasuries of the *fotahdārs* season by season. After looking through these papers demand the refunding of whatever has been spent without being accounted for, and then send them to the imperial record office. Do not leave the papers of the spring harvest uncollected up to the autumn harvest.

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[*] *Bachh*—Distribution of an aggregate sum among a number of individuals (Wilson, p. 42*b*.) *Behri*—Proportionate rate (Wilson, p. 70*b*) *Balia* ? = *malba.*

[†] *Russooms*—"Customs or commission." (*Brit. Ind.,* p. 149.)

[271*b*.] *Fourteenth.*—When an *āmin* or *amil* or *fotahdār* is dismissed from service, promptly demand his papers from him and bring him to a reckoning. According to the rules of the *diwān's* department, enter as liable to recovery the *ābwābs* that ought to be resumed as the result of this auditing. Send the papers with the records of the *ābwābs* recovered from dismissed *amils,* to the imperial *kachari,* in order that the auditing of the men's papers may be finished.

Fifteenth.—Draw up the *diwāni* papers according to the established rules season by season, affix to them your seal and note of verification, and send them to the imperial record office.

CHAPTER XII

Official Letters and Seals

§ 1. How Secretaries made Collections of Letters.

The Mughal Emperors had a very elaborate Secretariat or department of letters (*dār-ul-inshā*), and the papers of this department that have survived are of inestimable service to the modern student of Mughal history. The *ākhbārs* or news-bulletins of the Court or camp of the Emperor, which were sent to feudatory princes and provincial viceroys by their retained agents in his Court, and many of which have been preserved for the reigns of Aurangzib and some of his successors,—are of first-rate value to the historian, no doubt. But the main wealth of historical information regarding Aurangzib lies in the contemporary *letters,* which together with the above *ākhbārs* form the very raw materials or most authentic source for the history of his reign. The preservation of these letters we owe not to any action on the part of the Emperor, nor to the practice of any secretariat archive, but to a private source, namely, the literary vanity of the secretaries (*munshis*) who drafted them. Each of them kept with himself copies of the letters which he wrote for his master, afterwards collected them together in one volume, with a formal preface and colophon, and sent them forth into the world ; I mean, he allowed others to read and take copies of them, as printing was unknown in India in those days. Sometimes this "publication" of the letter-book was the result of the pious care of the late secretary's son or devoted friend, as the best literary monument to the learning of the deceased. Once the volume got into publication, its contents were picked out and included in miscellaneous collections of letters and in text-books on the art of letter-writing (as examples). In this way some letters have been saved, though the "volumes" of which they originally formed parts have disappeared. Many isolated letters of historical importance which were never included in any collection (because not written by the same man, or because not numerous enough to form a volume) have escaped destruction by being incorporated in such general collections of select letters.

These letter-books were put together and "published" for literary and not historical purposes. The *munshis* had not the future historian of the Mughal empire before their mind's eye, but the polished society of their own days. Their aim was not to leave historical records for posterity, but to show their own mastery of style and to set models of composition before students of rhetoric and epistolary prose. Some of the clerks even preserved and collected together the official and private letters of their own composition for the instruction of their sons and grandsons in the hereditary profession. Practically every one of the munshis could also write Persian verses and epigrams in which the date of an event was yielded by the total numerical value of the Arabic letters contained in the significant phrase or sentence, as calculated by the rules of *ābjad*.

Some of the later collections are professed text-books illustrating the art of the writer. They begin with an eulogy of the pen or of the art of letter-writing (*inshā*) in verse and florid prose, followed by a discourse on the mythical origin and development of the alphabet, the various known styles of penmanship and their founders ; then come the letters forming the body of illustrations. Such letter-books, however, belonged to a decadent age, when the Court had ceased to make history.

§ 2. The Hindu Munshis and their Work.

From the middle of the 17th century onwards most of the *munshis* were Hindus, and their proportion rapidly increased. The Hindus had made a monopoly of the lower ranks of the revenue department (*diwāni*) from long before the time of Todar Mal (Akbar's revenue minister), probably from the very dawn of Muslim rule in India. Todar Mal's order to have all their papers written in Persian, (instead of one set in Persian and a duplicate set in Hindi, as under Sher Shah), compelled all the Hindu officials of State to master the Persian language, and the effect of this change became manifest in the next century, when the Hindus filled the accounts department (*hisāb*) of the State and even rose to be deputies and personal assistants (*nāibs* and *pesh-dasts*) to the heads of many departments. Most of the nobles and even princes in the late 17th century engaged Hindu *munshis* to write their Persian letters. The docile abstemious hardworking and clever Hindu did the work well and cheaply. A Persia-born or Persia-trained Muslim clerk would have been cleverer and would have written a purer idiom, but he was too costly a luxury in India, and the supply of such men from the Persian home-land was dried up at its source by the political disorders in that country at the close of the 17th century. Indian Muhammadans, as a rule, were unsatisfactory for clerical work.

The earliest Hindu munshi of note (after Harkarn Itibarkhani, *c.* 1624), known to me was Chandrabhan (poetical name *Brahman*), a protege of Shah Jahan's wazir Sadullah Khan, who has left works in elegant prose and conventional verse besides some letters of little historical value. But from the middle of the 17th century onwards, Hindu clerks rapidly multiplied under most nobles, till at last in the 18th century a Hindu rose to be Secretary (Mir Munshi) to the Emperor Muhammad Shah,—I mean Anand Ram (pen-name *Mukhlis.*)

The clerks and other office subordinates of the Mughal empire, both Hindu and Muhammadan, formed a brotherhood and lived on terms of the greatest intimacy and mutual aid, giving feasts and dances to each other, as we learn from the memoirs of Bhimsen. In addition to the tie of service in the same department, they were also united in a brotherhood by their love of Sufi philosophy, which formed the common meeting-ground for the Persian-cultured official classes of India in the 17th and more especially

in the 18th century. Their letter-books often end with a collection of Sufistic verses of the munshi's own composition or his favourite author's.

§ 3. The Style and Sealing of Official Letters.

As regards the style of official correspondence, namely letters from the Emperor and despatches and petitions to him, it was highly ornate, prolix, redundant like a legal deed, and superlatively superlative as regards the use of epithets. They all felt bound to follow the vicious style used by Abul Fazl in his letters written on behalf of Akbar. In addition to having this bad model, the *munshis* were also fettered by official convention which fixed the epithets for the princes and high officers beforehand,—sometimes running to six lines of foolscap folio in the case of a ruling sovereign, and three lines for a minister. All official letters had to follow a set form, like the "I beg most respectfully to state" and "I have the honour to be your most obedient servant" of our own days,—at the beginning and the end, and also in introducing particular topics or communicating orders of a particular kind. Thus, making a transcript of a fully drafted letter (other than the fair copy actually sent to the addressee) was a wearisome labour, to shorten which the "editor" or copyist has, in some MSS., dropped all the long-drawn-out and flowery nonsense at the beginning and started with *mi-rasānad ke*, or 'submits that—.'

The official entitlature was a very formal thing in the 17th century. The different epithets to be used in addressing or referring to different people, from the Emperor down to ordinary captains and petty civil officers were all fixed beforehand and entered in the office manual (*dastur-ul-aml*). They were from time to time changed by superior order, due notice being given to the clerks. It would have been the height of impropriety to mention the "Shadow of God" or his sons* by name, (and in a more decadent age even the grand wazir). They were each designated in life as the Khalifa and the Shadow of God, and after death by a distinct title, which required interpretation for later ages. Thus Babur, Humayun, Akbar, Jahangir, Shah Jahan, Aurangzib and Bahadur Shah I. were respectively remembered only as *Firdaus-makāni, Jinnat-āshyāni, Arsh-āshyāni, Jinnat-makāni, Ala Hazrat Firdaus-āshyāni, Khuld-makān* and *Khuld-manzil*,—all these phrases meaning "Seated in heaven." Living princes were similarly designated by conventional but special titles, such as *Shāh-i-buland-iqbāl* for Dara Shukoh, *Mihir-pur-i-khilāfat* for Shah Alam, *Shah-i-Alijāh* for Muhammad Azam, &c. Jahanara, after her death, was to be mentioned only under the title of "The Spiritual Mistress of

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* As for the Emperor's daughters and wives, they were ethereal beings and could be referred to only very vaguely as "the concealed one under the veil of chastity", "the Rabia of the age", "one of those behind the screen of pomp and majesty" &c.

The news-letters (*Akhbārāt*) of Aurangzib's Court contain frequent orders as to how certain officials should be addressed in official correspondence. The *Adāb-i-Alamgiri* gives, for the early part of his reign, a long list of entitlatures (*f.* 209*b*-213*a* of the O.P.L. MS.)

the Age". Prince Muhammad Akbar, after his rebellion and flight to the enemies of the empire, was ordered to be referred to at Court and in all official papers as 'the Rebel' (*Baghi*), and sometimes as *Akbar-i-ābtar*, (*Akbar* meaning 'the greatest' and *Abtar* 'the worst')!

No official letter either to or from the Emperor or a prince was ever signed; all were sealed,—even a letter written by a humble official.

A *farmān*, in addition to bearing the imperial seal on the top, bore the wazir's seal below, and, in the case of a land-grant treaty or special favour, had the Emperor's palm (*panjah*) dipped in vermilion impressed on it. (A rubber representation of the palm used to be carried about in a bag suspended from the coat under his right armpit.) The princes, when serving as provincial governors, acted in the same way. When the fair copy of a letter or order was approved by the Emperor (or prince), he wrote after the last word of the last line (or a little below it) the letter *sad** (abbreviation for *sahih* or 'correct'), as a written token of his approval. Often the Emperor (or prince) added a few lines *in his own*

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* In some farmans that I have seen the *sad* is very thick, but is not usually completed, because only the ellipse forming the first part of the letter is given, but not the semi-circle forming its tail. The technical official expression for the Emperor's final approval was "the letter or order reached the sad." Even present day Bengal zamindars write on their letters to their agents and tenants not their names but only the word *Shri-Sahih* followed by an ornate flourish of the pen like the tail of a snake. This practice is a legacy of the Mughal empire.

hand at the top of the letter as a proof of the genuineness of the letter or as a special mark of honour to the person addressed ; these contained some commonplace statement or an injunction to obey the order promptly, but the material communication was embodied only in the letter drafted by the *munshi* and copied by a beautiful writer (*khushnavis*) of the secretariat. Such imperial additions are separately given in the *Adāb-i-Alamgiri.*

In official letters the name (*i.e.,* the conventional title) of the Emperor (or prince) was taken out of its context in the body of the letter and written at the top of the sheet as a mark of honour, exactly as Hindus do with the name of a god or goddess to whose *pujā* they are issuing invitations. The exact position of the "elevated" word in the sentence was indicated by leaving a blank space in the body of the letter!

When an official letter reached the addressee, his secretary wrote the date of arrival and reading of it on the back with the words *"arz dida shud." Farmāns* granting lands or favours were always issued as the result of suit paid to a minister or other favourite at Court for influencing the Emperor, and the name of such 'intermediary' was entered on the back of the *farmān* by means of the word *rasālatun* ('through the medium of'). In this connection, I must cite the parallel practice of ancient Hindu inscriptions of land-grants giving the name of the intermediary (*dutak*) at the conclusion.

The grand ceremony which the addressee had to hold to receive an imperial *farmān,* advancing many

miles to welcome it, and then placing it on his head and rubbing it against his eyes, need not be described here.*

§ 4. Classes of Letters and Their Names.

The official letters of the Mughal empire fell into several classes, each with its distinctive name. They were—

(i) *Farmān, shukka, āhkām* (plural noun wrongly used for the singular ; or was it a case of pluralis majestatis ?), and, in the case of only one later collection of Aurangzib's letters, *ramz-wa-ishāra.* These names meant any letter written by the Emperor directly or in his own person, to any other person, whether prince of the blood, subject, or foreign sovereign. (*Ruqa* is a vulgar modern name, which was never officially used.)

(ii) *Nishān* or a letter from a prince of the blood imperial to any one except the Emperor.

(iii) *Arzdāsht* (contraction *arzi*), a letter from any subject to the Emperor or a prince and also from a prince to the Emperor. A despatch of victory was technically called *Fath-nāmah.*

(iv) *Hasb-ul-hukm,* (*i.e.,* "By Order"), a letter written by a minister in his own person but under the Emperor's directions and conveying his orders.

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* Some vassal kings of the Mughal empire (especially in the Deccan) built a mansion called *Farman-bari,* six or eight miles outside their capital, where they went to receive all farmans the coming of which was always intimated to them beforehand.

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* Some vassal kings of the Mughal empire (especially in the Deccan) built a mansion called *Farman-bari*, six or eight miles outside their capital, where they went to receive all farmans the coming of which was always intimated to them beforehand.

(v) *Āhkām* and *ramz* (plural, *rumuz*). These terms should be confined to the notes of points and poetical and scriptural quotations dictated by the Emperor to his Secretary as materials for the official letters to be drafted in full in the conventional form afterwards. For Aurangzib's closing years these notes have been preserved but not the full letters.

(vi) *Sanad,* a letter of appointment. But the term *farman* was used in appointing viceroys.

(vii) *Parwānah,* an administrative order or ruling to a subordinate official, usually the result of a suit at Court.

(viii) *Dastak,* a short official pass or permit, mostly for the transit of goods or the admission of a person to the camp or Court.

(ix) *Ruqa,* a private letter, or one between friend and friend.

[*Mahzar-namah* is not included here, as it was merely a 'law report,' giving the result of a local investigation into a land dispute or criminal charge, with the names of the persons present (as jurors and witnesses to fact) and a summary of the evidence. Numerous examples of it from Maharashtra are given by Rajwade.]

§ 5. The Official procedure for composing and signing farmans.

Shah Jahan's procedure is thus described by his official annalist, Abdul Hamid Lahori (I. A. 148) :—"In the *Diwān-i-khās* the Emperor wrote with his own hand replies to certain important letters. In reply to other letters which had been submitted to him by the Court agents (*wakils*) of the nobles, the wazir, or the officers appointed to read the despatches of the subahdars (*ariza-khwān*),—the Emperor expressed his pleasure orally and the Secretaries wrote out the farmans accordingly. Their drafts were then submitted to him and he corrected and improved their language and sense.

"The prince who was given the power of *risāla* (mediatorship) used to write his *rasālatun* on the back of the farman and seal it with his own seal. Below the *risala* the diwan wrote his *mārafat* or a note of the fact that the farman was being transmitted through his hands. [Without this note the *farmān* was inoperative, as the English traders of Surat found to their disappointment, late in Aurangzib's reign.] Then the farmans were sent to the harem to be sealed with the *Auzak* seal, of which the Empress had the keeping."

Aurangzib's procedure was the same, as we find in his Court-history, *Ālamgir-nāmah,* p. 1101, which adds, "The beginnings of certain letters, addressed to the great nobles, were written by the Emperor with his own hand, in order to exalt and gratify the persons addressed, or to emphasise the urgency of the order and the importance of the matter written about, ... or to remove all doubt about their genuineness."

The fair copy of the farman, written in a large and beautiful hand, on paper sprinkled with gold dust, was sealed, rolled up, and put in a long narrow bag of cloth of gold, the mouth of which was tied with coloured strings and sealed on wax with the seals of the wazir. Such bags were called *kharitas*, [*Ain*, i. 264; Purchas, ix. 50.] Many of these are still preserved in the Jaipur Palace.

Now for the seals. The round small seal, containing only the Emperor's name, was called *Auzak* and was used for *farmān-i-sibti*, [*i.e.*, letters-patent appointing to high offices, granting jagirs sayurghals and daily allowances. *Ain*, i. 260.] The large round seal, containing the Emperor's name in a circle in the centre, with the names of his ancestors up to Timur enclosed in rings round the centre,—was at first only used for letters to foreign kings, but later on affixed to all kinds of farmans. [*Ain*, i. 52.] Urgent or confidential orders were sealed with the imperial seal only and were called *farmān-i-bayāzi*. All other *farmāns*, *parwānahs*, and *barāts* were sealed by a host of officials from the wazir downwards. [*Ibid*, 263-264.]

§ 6. The contents of the letter-book of a prince's or noble's secretary.

A typical letter-book of the *munshi* of a prince or noble contained letters arranged as follows:—

From his master to the Emperor* (with his replies in some cases).

,, ,, ,, princes.

,, ,, ,, ministers and other high officials and his own official subordinates.

From his master to his friends, relatives and estate agents and *wakil* at Court.

From the *munshi* to the above four classes (*a*) on his master's behalf, *i.e.*, letters of the type (but not style) of *Hasb-ul-hukms*, and (*b*) on his (*munshi's*) own behalf.

From the *munshi* to his own relatives. [These are mostly worthless.]

From the *munshi* to other *munshis* and poets,—in florid prose or verse, with a minimum of thought or fact and a maximum of words,—meant simply to show off his mastery of style and rhetoric (*munshiana*)!

In the decadent 18th century, many letter-collections contain towards the end "model letters" and "blank forms" of letters appropriate to particular occasions, such as congratulating an Emperor or Nawab on his accession, birthday, victory, birth of a son, or the *Id* festivity,—or to be addressed to a person on his appointment to an office or promotion, victory, the birth or marriage of his son, *Id* congratulations, condolence in bereavement (interspersed with familiar quotations in verse, and with the name and relation of the bridegroom or the deceased person to be inserted in the blank spaces at the time of use). Also, blank forms of letters of appointment to various posts with charges as to their duties, are given. *Nigārnāmah-i-Munshi* and *Inshā-i-Harkarn* are examples of this kind. There is often a list of entitlature and of correct forms of address for different ranks and offices, at the end.

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* Some of the letters were written in cypher (called *murmuz* in Persian and *anka-pallavi* in Hindi.) Examples of them (decoded) are given in the *Adāb-i-Ālamgiri* and the *Haft Anjuman*.

CHAPTER XIII

Mughal Rule : its achievements and failure

§ 1. Political effects of Mughal Government.

What is the legacy of Mughal rule* to India? The Mughal empire at its greatest extent covered a larger portion of our country than the Indian dominions of Asoka or Samudragupta. These Hindu empires also consisted of loosely united collections of independent provinces which did not acquire any homogeneity, nor create a sense of political unity or nationality among their people. Each province led its own life, continued its old familiar system of government (though under the agents of the central power), and used its local tongue. On the other hand, the two hundred years of Mughal rule, from the accession of Akbar to the death of Muhammad Shah (1556—1749), gave to the whole of Northern India and much of the Deccan also, oneness of the official language, administrative system and coinage and also a popular *lingua franca* for all classes except the Hindu priests and the stationary village folk. Even outside the territory directly administered by the Mughal Emperors, their administrative system, official nomenclature, Court etiquette and monetary type were borrowed, more or less, by the neighbouring Hindu rajahs.

All the twenty Indian *subahs* of the Mughal empire were governed by means of exactly the same

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* The subject has been more fully treated in my *India through the Ages*, Ch. 4.

administrative machinery with exactly the same procedure and official titles. Persian was the one language used in all office records, farmans, sanads, land-grants, passes, despatches and receipts. The same monetary standard prevailed throughout the empire, with coins having the same names, the same purity and the same denominations, and differing only in the name of the mint-town. Officials and soldiers were frequently transferred from one province to another. Thus, the native of one province felt himself almost at home in another province ; traders and travellers passed most easily from city to city, *subah* to *subah*, and all realized the imperial oneness of this vast country. Nationality, however, could not result from this political union, because the people had no civil liberty, no share in the government of their country. They were not citizens but merely equal subjects of one empire.

The second gift of the Muslims to India is historical literature. The chronological sense was very imperfectly developed among the Hindus, probably because being a race of Vedantists they kept their gaze fixed on eternity and despised this fleeting world and its ephemeral occurrences. The Hindus in the pre-Muhammadan days composed no true history at all ; only four political biographies have been preserved in Sanskrit, and in all of them the facts lie buried under a mass of flowers of rhetoric, tricks of style, and round-about expressions. In none of them have we dates. Even when the Hindus learnt Persian and wrote histories or memoirs of their times in that language in imitation of Persian models, their works were woefully lacking in dates.

On the other hand, the Arab intellect is dry, methodical and matter of fact, like that of the Jews, Phœnicians and other Semitic races. All their records contain a chronological framework, and their letters almost always give the day and month of writing. Whatever the historical literature of the Muhammadans may miss out, it seldom fails to give a wealth of dates. We thus get a solid basis for our historical study. The use of one era, *viz.*, that dating from the Prophet's flight, and calculated according to the lunar year, was a great advantage to the Muslims, as it gave to the entire world under Muhammadan sway a common system for dating events,— which affords a striking contrast to the bewildering variety of eras, length of months and length of the year that we find in Hindu inscriptions and books. To take one example only, the Hindu luni-solar year, in which each month is divided into the dark and bright fortnights (*badi* and *sudi*), was not the same in Northern India and Southern as regards the day of commencement and the intercalary month. Hence it is next to impossible to convert such dates in the old Marathi records of the 17th century into the Christian era with any certainty of correctness. The Muslim dates follow one uniform* and well-known system.

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* There was often the difference of one day as between India and other countries at the commencement of certain months, owing to the difference in the visibility of the new moon in the two places.

§ 2. Contact with the outer world established.

Thirdly, the Mughal empire, and even its so-called Pathan predecessor, re-established the contact between India and the outer Asiatic world, which had been destroyed with the decline of Buddhism in its home. Through the passes of the Afghan frontier the stream of population and trade flowed peacefully into India from Bukhara and Samarqand, Balkh and Khurasan, Khwarizm and Persia, because Afghanistan belonged to the ruler of Delhi, till near the end of the Mughal empire. Through the Bolan Pass leading from India to Qandahar in South Afghanistan and thence to Persia, as many as 14,000 camel-loads of merchandise passed every year in the reign of Jahangir, early in the 17th century. The ports on our western coast—Tatta, Broach, Surat, Chaul, Rajapur, Goa (before its annexation by the Portuguese), and Karwar,—were so many doors between India and the outer world that could be reached by sea, such as Arabia, Persia, Turkey, Egypt, Barbery, Abyssinia, and even Zanzibar. From the eastern port of Masulipatam, belonging to the Sultans of Golkonda up to 1687 and thereafter to the Mughals, —ships used to sail for Ceylon, Sumatra, Java, Siam and even China. The Arabs are born traders—like their cousins the Jews,—and they take kindly to a sea-faring life. The trade of the west coast of India had been their monopoly in the 1st century of the Christian era (as we learn from the *Periplus of the Erythræan Sea*). And now the conversion of the entire Near East and Middle East with parts of the Malay world to their faith and their sacred tongue gave them the greatest advantage in the sea-borne trade of Asia and Africa.

What the Muhammadans began the English have completed. To-day India's isolation is broken and she has been switched on to the currents—economic, cultural and political,—of the entire outer world.

§ 3. Religious changes in India due to Islam.

Fourthly, Hunter and some other European writers have held that the monotheistic or at least anti-Brahman and anti-caste movements among the Hindus in the middle ages were due to the influence of Islam. But we have to bear in mind that all the higher thinkers, all the religious reformers, all the devout *bhaktas* among the Hindus from the remotest time, have proclaimed the principle of monotheism and recognized the one supreme God behind the countless deities of popular worship. Therefore, it is not historically true that Islam taught the Hindus monotheism. What really happened was that these dissenting movements among the Hindus of mediæval India received a great impetus from the presence of the Muhammadans in our immediate neighbourhood. The example of Islamic society acted as a solvent on Hindu prejudices.

Many sects arose which tried to harmonise Islam and Hinduism and to afford a common meeting-ground to the devout men of both creeds, without emphasizing their differences of ritual, dogma and other external marks of faith. This was the aim of Kabir and Dādu, Nānak and Chaitanya. They

made converts freely from Hindus and Muslims and rejected the rigid orthodoxy of the Brahman and the Mulla alike.

So, too, the Sufi movement afforded a common platform to the more learned and devout minds among the Hindus and Muhammadans. Unlike the above-mentioned popular religions of mediæval India, Sufism never extended to the illiterate people. It was essentially a faith—often an intellectual-emotional enjoyment—reserved for the philosophers, authors and mystics free from bigotry. The eastern variety of Sufism is mainly an off-shoot of the Vedanta of the Hindus, and it rapidly spread and developed in India from the time of Akbar onwards.

A huge mass of Sufi literature in the Persian language was produced by the Hindus. Though of the poorest literary quality, it shows the wide prevalence of this faith among our people, especially in the 17th and 18th centuries, probably as a refuge from the political disorder and economic decay attending the decline of the Mughal empire. These popular religions and Sufi philosophy tended to bring the ruling sect and the dominated people closer together.

§ 4. Muslim influence on society, architecture and arts.

Fifthly, many elements of modern Hindu social manners in Northern India are due to Islamic influence, which also modified the dress of our gentry and popular literature to some extent. The masses, however, remained unaffected by it.

Next, hunting, hawking and many games became Muhammadanised in method and terminology. Persian, Arabic and Turkish words have entered largely into the Hindi, Bengali and even Marathi languages. An exact parallel is afforded by the influence of the Norman Conquest upon English life and language.

The art of war was very highly developed by the Muslims, partly by borrowing from Europe through Turkey—and, to a lesser extent, through Persia. The rajahs of the Hindu period used to lead petty forces or the confederation of a number of distinct petty contingents. But the Mughal Emperors commanded vast armies obeying one supreme voice, the handling of which required greater organizing power and capacity, and thus gave greater opportunities for the display of generalship than was possible in the Hindu period. From the point of view of mere organization [as distinct from real efficiency as an instrument of war], the Mughal army was almost perfect in every branch, according to mediæval Asiatic standards.

The system of fortification was greatly improved by the Muhammadans in India, as a natural consequence of the general advance of civilisation and the introduction of artillery.

Muhammadan rule caused a distinct advance in architecture. The Hindu kings lavished their wealth and skill on temples ; their palaces have all perished, and seem to have been of no high or costly pattern. But the Muhammadans built palaces and tombs in addition to mosques. The semi-circular radiating arch and the vaulted dome are peculiarly Muhammadan, and so also are geometrically laid out gardens.

In the domain of the fine arts the richest contribution of the Muhammadans is the Indo-Saracen school of painting. The Mughals introduced Chinese painting by way of Bukhara and Khurasan, and at the Court of Akbar this art mingled with the indigenous Hindu painting, of which traditions still lingered amidst neglect and poverty. The result of the fusion was that the Chinese characteristics were rapidly dropped and a purely Indian appearance was given to pieces marked by undeniable foreign *technique*. (*Studies in Mughal India*, 290-291.) Thus, in painting there was a true revival and the highest genius was displayed by our artists in this field in the Mughal age. This style holds the field even now under the name of "Indian art" or "Mughal painting." The so-called Rajput school is only the Mughal or Indo-Saracen style with Hindu mythological or epic subjects. The *motifs* were different, but not the technique or style.

We have seen that Muslim rule in general, and the Mughal empire in particular, achieved many things great and good for mediæval India. Why then did it fail? In order to answer this question it is necessary for us to examine the strength and weakness of the Muslim State in India.

§ 5. Elements of strength in the Muslim position in India.

The Muhammadans in India at first possessed the advantage of a common language, common traditions, a common religion, common teachers, and a common political status in the midst of a conquered and alien population. The absence of caste distinctions and the democratic spirit of Islam fused the conquering sect into a brotherhood. Hence, the State in Muslim India, before its degeneration in the 18th century, often displayed an unexampled solidarity in the face of foreign invasion. Another source of the strength of the Muslim rulers of India was that they wisely retained the old system of village administration and method of revenue collection of the Hindu times unchanged, and even employed Hindu officials almost exclusively in the Revenue Department. The result was that the lives of the millions of our villagers were undisturbed by the dynastic changes at the capital, and they had no reason to be discontented with their new masters and to rise against them.

§ 6. Muhammadan settlers Indianised.

But the long stay of the invading Muslim races in India gradually destroyed their alien character and gave to them a purely Indian stamp, till at last from the 17th century onwards it became increasingly difficult for the Indian Muhammadans to absorb readily into their society new-comers from Bukhara, Persia or Arabia. (This was a change quite distinct from the deterioration in their physique and colour under the Indian climate.) The Indo-Muhammadans adopted many Indian customs beliefs articles of food [esp. betel-leaf] and dress, and even an Indian language, namely, Hindustani [*zabān-i-Hindavi*, the Indian tongue] which is Sanskritic in its grammatical structure though its vocabulary is full of Persian and Arabic words in addition to Hindi. Thus, in the course of centuries the Indo-Muhammadans almost completely drifted apart from their brethren of the outer Asiatic world. The later Muhammadan immigrants into India were absorbed in the local population, but only after the lapse of two or three generations, by which time they had acquired the distinctive Indian character and given up their foreign peculiarities.

Centuries of residence in this country in the midst of a vastly more numerous Hindu element and a purely Indian environment, gradually fused the Muhammadans in certain respects with the indigenous population. The Indo-Muhammadans largely married local women and admitted to social equality enormous numbers of converts from Hinduism (or corrupt Buddhism), with the result that they quickly lost their purity of blood and distinctive racial characteristics. They also adopted many Hindu customs, beliefs and even ways of life. The popular religions of mediæval India, Sufism, the Urdu language, and Indo-Saracen art were the common property of the conquerors and the conquered, and tended to blend them together culturally, while the granite walls of the caste system kept them apart. Many Muhammadan saints (*pirs*) were worshipped by the lower classes of the Hindus, and renowned Muslim saints were adored by stout champions of Hindu orthodoxy like Shivaji and Mahadji Sindhia. The ignorant Muhammadan peasantry of Bengal and even of other provinces where no vigilant reforming mulla was present, took part in Hindu religious festivals and the worship of popular village-gods, just as in Bihar lowclass Hindus until quite recently used to take part in the Muharram procession as enthusiastically as the Muhammadans.

Thus, while the old scriptures and strict theory kept the two sects apart, a common destiny and the common weal and woe of life under the same Indian sun drew them together, except for occasional crescentades by a puritan Sulṭan or Padishah.

§ 7. Disruptive forces in the State.

Muhammadan dominion over India was spread more by individual chieftains and adventurers than by the direct action of any organized central power. There was, no doubt, always a lawful Sultan as the theoretical king; but the enthusiastic and fanatical generals who conquered the Hindu provinces beyond the frontiers, owed only a nominal allegiance to this Central Government, and they were usually masters of their own troops and treasures, instead of being merely salaried servants removable at a word from the Sultan. Macaulay in his famous essay on the Popes has described how the Roman Catholic Church utilizes the enthusiasm of unattached or irregular fanatics to convert new peoples without having to devote its regular priesthood to the work, but deriving full advantage from the voluntary action of these enthusiasts. Similar was the policy of the central monarch of Muslim India during the period of expansion and conquest. He maintained excellent relations with the enterprising adventurers of his own faith; he profited by their bold initiative and zealous exertions, without having to spend his own men or money. At the same time he kept them pleased by not insisting upon too much subordination to himself or too rigid a control of the provinces won and ruled by them.

This arrangement worked well so long as there were fresh lands to conquer. But when the Muslim expansion reached its furthest possible limit eastward and southward, rebellion, intrigue, murder of sovereigns and chaotic wars of succession became frequent, because the old plan of Muslim conquest left as its legacy a centrifugal or disruptive spirit tending to local autonomy. These frequent changes of dynasty and violent civil wars hindered the growth of civilization, the economic prosperity of the country, and the development of institutions. As the Latin proverb has it, "In the midst of arms, the laws are silent."

§ 8. Gradual decline of the people.

There was no hereditary peerage in Islam, no recognition of the right of private property. Every nobleman's lands and personal effects were confiscated to the State on his death. If his son got any portion of them, it was as a mere act of grace on the part of the sovereign. This rule, no doubt, prevented the slackening of effort, but it also destroyed the basis of civilization, *viz.*, the accumulation of savings from the past for improvement in the future. All was ephemeral in such a society; the economic prosperity and position built up by an individual noble was levelled to the ground at his death, and his son had to begin his career as a commoner from the very bottom without being able to take advantage of the progress made by his father. Thus, generation after generation an Islamic country witnessed the same process of building up fortunes from the smallest beginnings and undoing a life's work at death by the confiscation of the private property of the deceased man to the State and the reduction of his sons to the rank of poor commoners.

So much for the richer classes. As regards the common people, the Muslim State made no attempt to strengthen the *nation*, to develop the national character, or ensure the economic prosperity of the people. No independence of thought was allowed, and the grossest kind of flattery was expected and encouraged by the Court. Hence, no first-rate genius in literature or art was produced among the Indian Muhammadans.

The Court was the only centre of culture and the only nursery of the fine arts (if we except a few temples in the far-off South.) But the nation in general did not benefit by it, and Court patronage had a really demoralizing effect on creative genius. Hence, Hindu and Muhammadan literature and art in mediæval India fell far short of the productions of democratic Greece or England.

§ 9. Natural growth of the Hindus stopped.

Muslim rule also arrested the growth of the Hindus. At the first stage of the conquest, all our monasteries and rich temples were sacked, and thus the centres of Hindu learning were destroyed. No powerful Hindu rajah was left to serve as a patron of Sanskrit scholars and authors. In consequence, Sanskrit learning virtually died out of mediæval India. What little was left of it, was extremely barren and consisted of logical subtleties, elaboration of rituals, new editions of Canon law, commentaries on old books, and commentaries on commentaries. Thus North India was intellectually a desert from 1200 to 1550 A.D. It was only under Akbar that with Tulsidas in Hindi and the Vaishnav writers in Bengali, a great Hindu literature reappeared, but in the vernacular. The same Emperor founded a truly national Court, and under him there was a great upheaval of the Indian intellect.

§ 10. Why did the Indian Muhammadans deteriorate?

A minute study of the history of Mughal India gives one a clear impression of the rapid decline of the Muslim aristocracy and gentry settled in India. The rapidity and sureness of this decline are partly concealed by the genius and character of many of the converts from Hinduism and fresh immigrants from Persia or Central Asia. But it is equally striking that the grandsons of the last two classes on the Indian soil became hopelessly degenerate.

The first cause of this phenomenon was a reckless cross-breeding and the maintenance of *harems* filled with women of all sorts of races, castes and stages of civilization. The children of such unions represented a much lower intellectual type than pure Hindus, pure Persians or pure Turks.

Too much wealth, when accompanied by the peace and order which the Mughal empire gave to the land, fostered luxury among the Muhammadan upper classes, and their position as the dominant race fostered pride and idleness. Hereditary aristocracies have a natural tendency to deteriorate, and the process is checked only by hard work in the army or civil administration and other kinds of healthy activity, such as participation in the free public life of a democratic country or in adventure and exploration. But these correctives were wanting among the sons of the Mughal peers, to whom the Emperors always left a portion of their fathers' earnings and gave fairly high posts by reason of their birth.

The Indian Muhammadans could not retain Persian or Turkish as their mother-tongue, and yet they did not cultivate any Indian vernacular for literary purposes. They were ashamed to write in the *zaban-i-Hindavi* (*i.e.*, Hindustani) which they spoke in the home, the office, the street, and the camp. The desperate and ruinous attempt to cling to Persian as the language of official correspondence, of serious and elegant literature, and polished intercourse, while Hindustani was their mother-tongue, was continued by the Indian Muhammadans till about 1780, when Hindustani was frankly accepted as their literary language. This linguistic difficulty accounts for the literary barrenness of the Indian Muhammadans, and it greatly retarded the spread of real education during the Mughal period.

The Muhammadans of India, particularly those of Turkish and Afghan breeds, are a military race, but not eminently intellectual nor industrial. Hence they began to decline when the utmost possible limit of their conquest was reached.

The degradation of women in the harems of the rich naturally tends to degrade their children. The evil took a more aggravated form in India than in Arabia or Persia, where few could afford to support more wives than one, and these wives were usually of the same race as their husbands.

§ 11. Failure of Mughal Empire due to lack of the spirit of progress and self-correction.

The student of mediæval Indian history cannot fail to be struck by the fact that the Mughal empire became a hopeless failure in the 18th century, though it had splendid resources behind it and had achieved much for India in the 16th and 17th centuries. In the 18th century, Mughal civilization was like a spent bullet, and the downfall of the Mughal empire was only a question of time, even if no Nadir Shah or Ahmad Abdali had appeared in India.

The first and foremost cause of this decline is the contrast between the spirit of all oriental monarchies and that of a modern civilized empire like the British. Such a modern empire contains an element of self-criticism and reform within itself. Hence, any new defect or source of decay in it is promptly detected and remedied before it can become incurable. Not so oriental monarchies, or even European monarchies of the ancient world, like the Roman and Macedonian.

Secondly, oriental monarchies are essentially dependent upon the personality of the sovereign and to some extent also on the character of the ruling minority. The British empire, on the other hand, is democratic; it is the domination of much of the world by the entire British race and other races absorbed into the British,—and not by an individual king or family. Hence, though the ruling British families of one generation may degenerate in the next, streams of fresh and able rulers of men rise from the ranks of the British race to take their places. In Mughal India, on the other hand, the degeneration of India-born Muhammadans was rapid and striking, and nothing could remedy it, as there was no popular education, no public discussion, no social reform. The supply of able adventurers from beyond the Khaibar Pass who had contributed to the glories of the reigns of Akbar and Shah Jahan ceased, and the decay in the ruling families of India could not be arrested by the infusion of new blood either from among the mass of the local people or from the thinned stream of foreign immigrants.

It was the fatal defect of Mughal rule that it always continued to bear the character of a military occupation of the land and did not try to build up a nation or a homogeneous State. The glories of Agra and Delhi in the golden days of Shah Jahan ought not to blind us to the fact that the Mughal Emperors never followed the first principle of political science, *viz.*, that "there cannot be a great empire without a great *people*." Under even the best of them, though there were great ministers and generals, the mass of

the people remained "human sheep" as in the worst days of the past. The Englishmen who overthrew the Indian Nawabs and Maharajahs may have been a handful of men—some of them not even professional soldiers; but they had behind them the enormous reservoir of the British democracy with all its collective talents and resources, while our Nawabs and Maharajahs had behind them none but a few self-seeking followers and hireling troops. They did not lead any national resistance to the foreign conquerors.

Islam, as interpreted after the failure of the rationalistic (*mutazala*) movement in the Court of the early Abbasid Khalifs of Baghdad, became too rigid, too inelastic and incapable of adapting itself to changes of environment. It has all the strength and weakness of a strictly dogmatic creed like Calvinism. The rigidity of Islam has enabled its followers in all lands to succeed up to a certain point. But there they have stopped, while progress is the law of life of the living world. At the same time that Europe has been steadily advancing, the stationary Muhammadans have been relatively falling back, and every year has increased the distance between Europe and Asia in knowledge, organization, accumulated resources and acquired capacity, and made it increasingly difficult for the Asiatics to compete with the Europeans. The English conquest of the Mughal empire is only a part of the inevitable domination of all Africa and Asia by the European nations,—which is only another way of saying that the progressive races are replacing the conservative ones, just as enterprising families replace sleepy indolent ones in the leadership of our own society. Therefore, if we wish to profit by the study of our country's history

—Forward, forward let us range,
Let the great world spin for ever down the ringing grooves of change.

The greatest gifts of the British to India have been political directly and economic only in a secondary way. They are, security of property and personal freedom (of production and service) for the individual. These, even more than pure and convenient courts of justice, an efficient police, mechanical transport and uniform currency, have improved the economic condition of modern India. On the other hand, Mughal India was under an essentially military type of administration, and that too conducted by a semi-nomadic people. This political factor entirely dominated our economic situation in that age. The unspeakable degradation of the intellect and character of the subject people under nomad rulers is the only adequate explanation of the real economic misery of this fabled land of gold in the age of the Great Mughals. India, even in the economic sphere, has profited most from the political or non-economic effects of British rule,—namely, personal freedom, security of possessions, and, above all, that spirit of progress and that removal of "the slave mentality" of our masses which we owe to Western education, British laws, and contact with English society. These, and not a "return to the learning of Confucius" will enable the Indians to rise to the full stature of their national growth.

CHAPTER XIV

Sources of Information

§ 1. Ain-i-Akbari, criticised.

The best known source of information about Mughal administration is Abul Fazl's *Ain-i-Akbari*. But this work, though it was the progenitor and in certain respects the model, of later official handbooks, has many defects. It was the first work of its kind in India and was written when the newly created Mughal administration was in a half fluid condition. Abul Fazl, therefore, tells us what an officer ought to aim at doing, rather than what the experienced servants of a long-settled Government were in the habit of doing; that is to say, he draws an ideal picture instead of giving us a faithful description of the administration in its actual working. Moreover, he is an insufferable rhetorician, and even when he intends to tell a fact, he buries it under a mass of figures of speech and round-about expressions. His work, therefore, does not give us much real help in drawing a correct and detailed picture of the administrative machinery, though in the statistical portion he is detailed and correct. We are oppressed by a sense of the vagueness and unreality of the picture as we go through the descriptive parts of the *Ain*.

As Mr. W. Crooke writes,—"No one who reads the *Ain-i-Akbari*, the cyclopædic annals of his rule, can fail to be conscious of a certain lack of departmental perspective. Akbar was a master of detail: but here detail is pushed to the extreme. We find careful accounts of the organisation of the camp and household, the stable and wardrobe, the armoury and the hunting establishment.........On the other hand, we learn little of the essentials of administration as we understand it—about the police and judicial services, the development of the national resources, the relief of famine, education and medical aid." (*N. W. P.* 101-102.) "What trust is to be placed in the figures of the *Ain-i-Akbari* it is difficult to say. . . In respect to the revenue recorded in the *Ain-i-Akbari* it may be questioned whether it was not an ideal assessment, and whether it was ever collected for the State." (J. R. Reid.)

§ 2. Dastur-ul-amls and their contents.

The immense size of the *Ain-i-Akbari* and the unreality or rather the practical uselessness of much of its contents, made it undesirable to write similar works or to bring it up to date in the reigns of Akbar's successors. The needs of their officials were met by compiling a class of handbooks called *Dastur-ul-aml*, written in the exact antithesis of the style of Abul Fazl. These are highly condensed abstracts, full of facts, figures and lists, with no descriptive matter and hardly any complete sentence. Such small handbooks could be easily revised and brought up to date in successive reigns. But the revision took the form of making additions at the end of each section for bringing the work up to date.

Such *Dastur-ul-amls* were composed in the reigns

of Shah Jahan and Aurangzib, and several MSS. of them are known to exist. Thomas* used five of these works. I used one of these five, (namely, D. 163 of the Asiatic Society of Bengal) along with other sources in writing my *India of Aurangzib: statistics, topography and roads* (1901.)

But a better *Dastur-ul-aml* has since then been copied and studied by me. One MS. of it is the India Office Library (London) Pers. No. 370, which is defective at both ends, and the other is the British Museum Oriental No. 1641, complete but entitled *Zawabit-i-Alamgiri* or the Regulations of the Emperor Aurangzib. The two MSS. are copies of the same work, in spite of the difference in their titles and the fact that they were transcribed from different manuscripts. They give figures up to the 33rd year of the Emperor's reign, *i.e.*, 1690 A.D., when the Mughal empire had reached its climax after the capture of Bijapur, Golkonda and Raigarh (the Maratha capital) and the annexation of these three kingdoms to the territory of Delhi. Mere statistics of a later date, down to about the middle of the 18th century, can be found in the works of Jag-jivan Das and Rai Chatar-mal, the latter of which I have given in English in my *India of Aurangzib*.

These *Dastur-ul-amls* or official handbooks tell us, in the fewest words possible, about the revenues of the different provinces, the number of their subdivisions, the distances between different cities of the empire, the rules for sending official papers to Court, the records that should come to the different diwans' offices, the total expenditure of the State, the number of mansabdars and other military forces, the usual titles of Muslim and Hindu nobles, musicians and caligraphists, the distribution of work among the bakhshis and diwans, the functions and official procedure of the *Khan-i-saman*, *Buyutat*, *Mir Atish*, *Mushrifs* of the *barqandazes* and other special classes of troops, as well as of the bakhshi of the *Ahadis*, details of the High Diwan's office-work and the papers to be received, replied to, prepared or signed or submitted to the Emperor by him, minute rules about the cash salaries of the princes and mansabdars, the rules of branding and shoeing cavalry horses, the classification of officers according to their equipment, rules about leave and overstaying leave, and minute regulations about adjusting the jagir to an officer's rank, payment of retainers, grant for the fodder of the transport cattle of the different grades of mansabdars.

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* *Revenue Resources of the Mughal Empire*, p. 14 and footnote, p. 33 and footnote, esp. 40 *n*,—I.O. L. 1387, Br Mus. Addl. 6598 and 6599, A.S.B. MS. (D. 163), and another MS. copied for Elliot.

Then we have tables of weights (as current in different places), the exchange value of the coins of different countries outside India, a list of the forts in the empire, the number of the mansabdars grade by grade, rules about promotion, dismissal and sick-leave—in short all kinds of salary-rules; the special salaries of European gunners sappers and cannon-founders (Z. 60*b*—62*b*), powder-supply to musketeers (Z. 63*a*), classification of arms, rates of *jaziya*, list of seasons appropriate for voyages (Z. 67*a*—68*a*), the revenue of Persia, the escheated properties of various

princes, princesses and nobles, lists of presents received from Persia, the amounts in the imperial treasure-rooms (Z. 132*b*), lists of *karkhanahs* (Z. 132*b*—133*a*), lists of the *abwabs* abolished by Aurangzib and of the practices declared by him as illegal (Z. 135*a*—137*a*), details about Aurangzib's armaments at the sieges of Bijapur, Golkonda, etc., with descriptions of some of the Deccan forts of his time,—and many more details about the Emperor's Deccan campaigns and statistics about his Deccan provinces.

It will be seen from the above what a vast mass of useful and absolutely new information is compressed into this *Dastur-ul-aml*. Unfortunately both the MSS. are very badly written.

Hapily, in some respects we can correct and supplement the *Dastur* from a later work, which is unique of its kind in Indo-Persian literature. I mean the *Mirat-i--Ahmadi* or History of Gujrat by Ali Muhammad Khan, the last imperial diwan of the province, completed in 1761. The author has given full copies of as many of the imperial *farmans* addressed to the officials of this province as were preserved in his office. In this respect the book is a veritable mine of accurate information based upon authentic State papers. A comparison with the versions of a few of these *farmans* given in other works proves the honesty and industry of Ali Muhammad Khan. The printed Baroda edition of this history has been cited in my third edition.

§ 3. Manual of Officers' Duties.

A valuable source of information on Mughal administration is a curious Persian manuscript, written not later than the early 18th century, which I secured from an old Kayastha family of the Patna district. It is a small book, 148 pages of 11 lines and sometimes 12 or 13 lines each, with the first and sixth leaves and one or two leaves at the end missing. I shall call it the *Manual of Officers' Duties*.

We know that Egypt under Arab rule produced a number of works written by officials which are of the highest value to a student of administration. "Musabbihi gives a wealth of official documents...... The very minute descriptions of etiquette at the Fatimid Court in Ibn Tuwair seem to be copied from a book of Court ceremonial. Ibn Mammati gives from personal knowledge rules for the diwans, and later al-'Omari a chancery-manual, the most perfect work on the latter's model being Kalkashandi's...... Finally writers like Ibn Dukmak and Ibn Dji'an use or reproduce bodily records of official surveys."—[*Encyclopædia of Islam*, ii. 22.]

My last-named MS. gives minute directions as to how the different officials of the Mughal Government should conduct themselves, what functions they were expected to discharge, what precautions they should take, and what records they should draw up or keep in duplicate. It is in the form of a dialogue. Each section begins with the statement that an aspirant for some office (let us call it *faujdari*) asks an expert in the work, "How should I act in order to satisfy my master, please the people, and secure a good name and prosperity for myself?" He receives a reply giving a long list of the special virtues that the newly appointed functionary must practise, the exact nature of his office-work, his temptations and dangers. A part of the reply is, no doubt, abstract or general good counsel, but much of it is based on actual experience and the long observed practice of the Mughal administrators. Here we get an inside view of that administration which mere theoretical treatises cannot give us.

Contents of the *Manual of Officers' Duties*:—Praise of God [2 pages, missing]—list of contents divided into five *babs*, subdivided into 49 *fasals* in all,—I. description of the Perfect Man (*insan-i-kamil*), darvishes, sultan [2 pages missing], wakil and wazir, khan-i-saman, bakhshi, darogha of ghusal-khanah and diwan-khanah, subahdar, faujdar, darogha of artillery, mingbashi (captain of musketeers), II. sadr, qazi, mufti, muhtasib and regulator of market-prices, news-writers, peshkar of bakhshi, choice of servants, amin and krori, kotwal, mir-i-imarat (building superintendent), mushrif, III. eleven classes of daroghas of kachari &c. IV. companion (*musahib*), how masters should treat their servants and parents their children, manners in dealing with others, attending Court &c., regulation of style of living and expenditure, dress, V. travel, jamadar, nazir, clerks in offices, mustaufi, qanungo, zamindar, spectators at shows, [the last item entirely missing in ms.]

§ 4. Other sources.

The long Court annals of the Mughal Emperors beginning with the *Akbarnamah* of the 16th century and ending with the *Bahadur Shah-namah* of 1709, are strewn with information on changes and innovations in the administrative rules or procedure.

Certain other MSS. (such as the *Nigarnamah-i-Munshi* and the *Insha-i-Harkarn*) give blank forms of the letters-patent for appointing officers to their posts, which explain the nature of their work.

Father Monserrate's account of the government and Court of Akbar (Eng. tr., pp. 203-212, justice pp. 209-211), and De Laet's very brief reference to the Court (Eng. tr., pp. 93-99) are too meagre and shallow. Manucci in his *Storia do Mogor*, ii. 329-390, 415-421, and 449-452, gives a description of the Mughal administration Court and society, which, though short and often superficial, is valuable for its criticism and personal observations. In the Court news-letters of Aurangzib's and his successors' reigns, called *Akhbarat-i-darbar-i-muala*, we have occasional mention of changes in administrative rules and many illustrations of the actual effect of the system. The Marathi documents (mostly legal decisions and orders in favour of individuals, title-deeds &c) printed by Rajwade in many volumes, are another mass of illustrations, mostly later than the 17th century.

The *Kitāb-ul-Kharāj* of Abu Yusuf ibn Yaqub (chief *qazi* of Bāghdad under Harun al Rashid) lays down the root principles of Islamic institutions and practices (orthodox Hanafi school.)

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